



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:45 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, MEMBERS CRAIG GALATI, BYRON GOYNES, STEVEN EVANS, TODD NIGRO AND LEO DAVENPORT

EXCUSED: MEMBER LAURA McSWAIN,

STAFF PRESENT: ROBERT GENZER, PLANNING & DEVELOPMENT DEPT., MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., EDDIE DICHTER - PLANNING & DEVELOPMENT DEPT., DAVID GUERRA - PUBLIC WORKS, RICHARD SCHRODER - PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, DIANA DAVIS – CITY CLERK'S OFFICE, DEENY ARAUJO – CITY CLERK'S OFFICE

MINUTES:

DAVID CLAPSADDLE, Planning and Development Department, listed the following items requested by the applicants to be held in abeyance or withdrawn without prejudice:

Item 10 [VAR-2651] Withdrawn Without Prejudice

Item 21 [SDR-2580] Withdrawn Without Prejudice

Item 22 [VAR-2588]

Previously held from the 8/14/2003 Planning Commission meeting to enable staff to meet with the applicant. A revised site plan was submitted reflecting the increase of parking spaces. Today, staff received another site plan indicating a reduction in the size of the building; therefore the Variance would no longer be needed.

Item 29 [ZON-2735] Abeyance to 9/11/2003 Planning Commission meeting

Item 30 [SDR-2736] Abeyance to 9/11/2003 Planning Commission meeting

CONDITION CHANGES:

Item 11 [SDR-2650] Public Works will recommend changes when the item is brought forward for discussion.

Item 56 [SDR-2675] Planning and Development will recommend condition changes
Item 60 [ROC-2788] when the items are brought forward for discussion.



PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Briefing

MINUTES – Continued:

OTHER ITEMS:

Item 43 [SUP-2775] and Item 44 [SDR-2774]:

Staff will recommend these items be stricken. MR. CLAPSADDLE stated all historical information has been provided in the backup. Staff determined that the proposed development does not meet the separation distance of the code. Although the applicant has stated that this is a two-lot parcel, based on a survey conducted by the City, staff concluded that the entire parcel is one lot. MR. CLAPSADDLE recommended these items be moved forward for discussion.

Item 51 [SUP-2759] and Item 52 [SUP-2760]

Staff recommends these items be heard concurrently. Although the addresses are different, it is the same site.

MEETING ADJOURNED AT 5:50 p.m.



**PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 28, 2003**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CORIN and CARSON GALATI.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, MEMBERS CRAIG GALATI, BYRON GOYNES, STEVEN EVANS, TODD NIGRO AND LEO DAVENPORT

EXCUSED: MEMBER LAURA McSWAIN

STAFF PRESENT: ROBERT GENZER – PLANNING & DEVELOPMENT DEPT, MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., EDDIE DICHTER - PLANNING & DEVELOPMENT DEPT., DAVID GUERRA - PUBLIC WORKS, RICHARD SCHRODER - PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, DIANA DAVIS – CITY CLERK'S OFFICE, DEENY ARAUJO – CITY CLERK'S OFFICE

(6:00)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 28, 2003**

SUBJECT:

Approval of the minutes of the July 24, 2003 Planning Commission Meeting

MOTION:

GALATI - APPROVED – UNANIMOUS with NIGRO and DAVENPORT abstaining as they were not present at the meeting and McSWAIN excused

MINUTES:

There was no discussion.

CHAIRMAN TRUESDELL introduced COMMISSIONER LEO DAVENPORT, newly elected member of the Planning Commission.

CHAIRMAN TRUESDELL also welcomed CORIN and CARSON GALATI, sons of COMMISSIONER GALATI, who planned to attend a portion of the meeting.

AL GALLEGGO, citizen of Las Vegas, challenged that COMMISSIONER DAVENPORT'S name was not reflected on the evening's agenda. Therefore, he should be ineligible to attend this meeting. DEPUTY CITY ATTORNEY BRYAN SCOTT verified that COMMISSIONER DAVENPORT took the oath of office and was certified as a member of the Planning Commission.

(6:03)

1-50



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

MOTION:

GALATI – Motion to **HOLD IN ABEYANCE** Item 29 [ZON-2735] and Item 30 [SDR-2736] to 9/11/2003 Planning Commission meeting and **WITHDRAW WITHOUT PREJUDICE** Item 10 [VAR-2651] and Item 21 [SDR-2580] – **UNANIMOUS** with McSWAIN excused.

MINUTES:

With regard to Item 10 [VAR-2651], **GEORGE ROGERS**, Architect, 4625 South Polaris, appeared on behalf of the applicant and confirmed the request to withdraw the variance without prejudice.

There was no further discussion.

(6:11 – 6:14)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 28, 2003**

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-2678 - WHITEHORSE EAST - SOUTHWEST HOMES, LIMITED ON BEHALF OF WHITEHORSE ESTATES, LIMITED LIABILITY COMPANY, ET AL - Request for a Tentative Map FOR AN 11-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 4.93 acres adjacent to the southeast corner of Farm Road and Maverick Street (APN: 125-14-702-001 and 008), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED Items 1-5 subject to conditions – UNANIMOUS with McSWAIN excused

This is final action.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:14 – 6:16)

1-265

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 1 – TMP-2678

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. Site development to comply with all applicable conditions of approval for Rezoning (ZON-1930), Site Development Plan Review (SDR-2085), and all other subsequent site-related actions.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
7. All development shall conform to the any additional requirements as set forth by the Clark County Health District.

Public Works

8. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-2789 - DORRELL SQUARE - D.R. HORTON - Request for a Tentative Map FOR A 110-LOT SINGLE-FAMILY ATTACHED CLUSTER SUBDIVISION on 17.0 acres adjacent to the northwest corner of North Decatur Boulevard and Deer Springs Way (APN: 125-24-603-011 and 125-24-604-010), R-E (Residence Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED Items 1-5 subject to conditions – UNANIMOUS with McSWAIN excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:14 – 6:16)

1-265

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 2 – TMP-2789

CONDITIONS – Continued:

2. Site development to comply with all applicable conditions of approval for Rezoning (Z-0056-02), Site Development Plan Review (SDR-2484), and all other subsequent site related actions.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
7. All development shall conform to the any additional requirements as set forth by the Clark County Health District.

Public Works

8. Extend public sewer with terminating manholes into private drives.
9. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EOT-2742 - ALBERTSONS, INC. - Request for an Extension of Time of an approved Special Use Permit [U-0039-00(1)] WHICH ALLOWED THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED 15,120 SQUARE FOOT DRUG STORE at the northwest corner of Grand Teton Drive and Durango Drive (APN: 125-08-813-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED Items 1-5 subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:14 – 6:16)

1-265

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 3 – EOT-2742

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on May 17, 2004 unless it is exercised or an Extension of Time is granted by the City Council.
2. Compliance with all Conditions of Approval of Special Use Permit (U-0039-00) and Site Development Plan Review (SD-0031-99).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EOT-2756 - DESERT INN COMMERCIAL, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Rezoning [Z-0094-84(4)] FROM: U (Undeveloped) [M (Medium Density Residential) General Plan Designation] TO: C-1 (Limited Commercial) on 5.62 acres between U.S. 95 and Rock Springs Drive, approximately 630 feet south of Lake Mead Boulevard (APN: 138-22-702-002), Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED Items 1-5 subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:14 – 6:16)

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 4 – EOT-2756

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on August 24, 2005 unless it is exercised or an Extension of Time is granted by the City Council.
2. In accordance with Condition #2 and #3 of Rezoning (Z-0094-84), a Site Development Plan Review application shall be submitted and approved by the Planning Commission and City Council as a public hearing item prior to issuance of any site grading or development activity on the site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EOT-2778 - CANTWELL ANDERSON, INC. ON BEHALF OF LAS VEGAS B.P.O. ELKS LODGE #1468 - Request for an Extension of Time of an approved Variance (V-0042-02) WHICH ALLOWED 159 PARKING SPACES WHERE 306 PARKING SPACES ARE THE MINIMUM REQUIRED FOR A PROPOSED SINGLE ROOM OCCUPANCY RESIDENCE at 525 East Bonanza Road (APN: 139-27-805-003), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED Items 1-5 subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:14 – 6:16)

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 5 – EOT-2778

CONDITIONS:

Planning and Development

1. This Extension of Time of an approved Variance shall expire on August 21, 2004 unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0077-02), Variance (V-0042-02), and Site Development Plan Review [Z-0076-83(2)].

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - ZON-2624 - NEVADA HOMES GROUP ON BEHALF OF ALBERT D. AND EILEEN F. MASSI AND DON NOBIS - Request for a Rezoning FROM: U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 2.63 acres adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005), Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as his father-in-law owns property across the street from this project, EVANS voting NO and McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY ROWE’S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

COMMISSION GALATI declared the Public Hearing open

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 6 – ZON-2624

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, explained that these items were held from the previous meeting to enable staff to work with the applicant to resolve several issues. He stated this project is a part of the Day Dawn Estates and only the 14-lot site to the north is being addressed at this time. With regard to the variance of the open space, the applicant is proposing to combine the north subdivision with the subdivision to the south to meet the requirements. Looking at the overall piece, staff feels the applicant does not meet the standards of the code and recommends denial of the variance. With regard to the zoning request, the site development review and the waiver, staff also recommends denial.

ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. Using the overhead, he pointed out the entire Day Dawn Estates and indicated the phases that are currently under construction, those that have been completed and the portion that will soon commence construction. ATTORNEY ROWE stated that the two major issues concern the open space issue and the waiver for the street separation between Gilmore Avenue and the first cul-de-sac. He maintained that because this is an infill piece, having a certain amount of flexibility would enable the developer to provide creative designs. Using the site plan, ATTORNEY ROWE indicated a segment of Ahey Road that was purchased by the City and eventually vacated. Subsequently, Nevada Homes Group purchased that portion back from the City to utilize as open space for the Day Dawn Estates development. With over 15,000 square feet proposed for open space, ATTORNEY ROWE listed the projected amenities that will be available to the residents.

TODD FARLOW, 240 North 19th Street, disagreed with the validity of the infill project. He asked whether a shared use agreement was obtained from the School District. ATTORNEY ROWE replied that he was unable to contact the School District but would continue to pursue that.

COMMISSIONER NIGRO asked whether there would be any safety issues with regard to the distance requirements from the corner. DAVID GUERRA, Public Works Department, clarified that Title 19 states that a 220-foot distance should be maintained from the entrance to a subdivision to any street that is 60-feet or greater in width. He noted that staff does not foresee any safety concerns and has no objections to the waiver. COMMISSIONER NIGRO stated that although he was not overly concerned with combining the subdivisions to accomplish the open space, he questioned whether the backyards could not be reconfigured to decrease the width thereby enabling the developer to apply that to the open space requirement. ATTORNEY ROWE stated he would take that back to the developer for consideration.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 6 – ZON-2624

MINUTES – Continued:

COMMISSIONER GALATI stated there are projects that have extenuating circumstances that justify waiving the open space for this project. He noted that in discussion with the applicant, he was made aware of the fact that this particular section could not be acquired jointly with the other section. Preferring that this piece of property be developed as residential, COMMISSIONER GALATI stated he believes the applicant has endeavored to create alternative open space. In light of that, he could support this project with the assurance that the applicant would be amenable to all conditions.

No one appeared in opposition.

There was no further discussion.

COMMISSIONER GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 6 [ZON-2624], Item 7 [VAR-2626], Item 8 [SDR-2625], and Item 9 [WVR-2811] was held under Item 6 [ZON-2624].

(6:16 – 6:35)

1-305

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Site Development Plan Review (SDR-2625), open space Variance (VAR-2626) and Title 18 Waiver (WVR-2811) applications approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Reconfiguration of the previous phase of the Day Dawn development immediately to the south of the subject site to increase the amount of open space in that phase, associated with the vacated portion of Ahey Road, from 10,000 square feet to 15,000 square feet.

Public Works

4. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the issuance of any permits or the recordation of any Map dividing this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 6 – ZON-2624

CONDITIONS – Continued:

5. Construct half-street improvements on Buffalo Drive and Gilmore Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Alternatively, the applicant may participate in the public improvement project for the Buffalo Drive improvements.
6. If not already constructed, coordinate with the Collection Systems Planning section of the Department of Public Works to extend public sanitary sewer in Gilmore Avenue to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 6 – ZON-2624

CONDITIONS – Continued:

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VAR-2626 - NEVADA HOMES GROUP ON BEHALF OF ALBERT D. AND EILEEN F. MASSI AND DON NOBIS - Request for a Variance TO ALLOW NO OPEN SPACE WHERE 0.23 ACRES OF OPEN SPACE ARE REQUIRED FOR A PROPOSED 14-LOT SINGLE FAMILY DEVELOPMENT on 2.63 acres adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005) U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as his father-in-law owns property across the street from this project, EVANS voting No and McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY ROWE'S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 7 – VAR-2626

MINUTES – Continued:

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 6 [ZON-2624], Item 7 [VAR-2626], Item 8 [SDR-2625], and Item 9 [WVR-2811] was held under Item 6 [ZON-2624].

(6:16 – 6:35)

1-305

CONDITIONS:

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2624), Site Development Plan Review [SDR-2625] and Title 18 Waiver (WVR-2811).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Reconfiguration of the previous phase of the Day Dawn development immediately to the south of the subject site to increase the amount of open space in that phase, associated with the vacated portion of Ahey Road, from 10,000 square feet to 15,000 square feet.
4. In Lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$40,075.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-2625 - NEVADA HOMES GROUP ON BEHALF OF ALBERT D. AND EILEEN F. MASSI AND DON NOBIS - Request for a Site Development Plan Review FOR A PROPOSED 14-LOT SINGLE FAMILY DEVELOPMENT on 2.63 acres adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005) U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as his father-in-law owns property across the street from this project, EVANS voting No and McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY ROWE’S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 8 – SDR-2625

MINUTES – Continued:

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 6 [ZON-2624], Item 7 [VAR-2626], Item 8 [SDR-2625], and Item 9 [WVR-2811] was held under Item 6 [ZON-2624].

(6:16 – 6:35)

1-305

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-2624] to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District, a Variance (VAR-2626) and a Waiver of certain Title 18 standards (WVR-2811) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Reconfiguration of the previous phase of the Day Dawn development immediately to the south of the subject site to increase the amount of open space in that phase, associated with the vacated portion of Ahey Road, from 10,000 square feet to 15,000 square feet.
5. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house and garage, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect adequate perimeter landscaping.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 8 – SDR-2625

MINUTES – Continued:

8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-2624 and all other subsequent site-related actions.
16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - WVR-2811 - NEVADA HOMES GROUP ON BEHALF OF ALBERT D. & EILEEN F. MASSI AND DON NOBIS - Request for a Waiver of Title 18 requirements FOR A 185-FOOT SEPARATION BETWEEN INTERSECTIONS, WHERE A MINIMUM OF 220 FEET IS REQUIRED when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, on property adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: RPD5 (Residential Planned Development - 5 Units Per Acre)], Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as his father-in-law owns property across the street from this project, EVANS voting No and McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY ROWE'S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 9 – WVR-2811

MINUTES – Continued:

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 6 [ZON-2624], Item 7 [VAR-2626], Item 8 [SDR-2625], and Item 9 [WVR-2811] was held under Item 6 [ZON-2624].

(6:16 – 6:35)

1-305

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2624), Site Development Plan Review [SDR-2625] and open space Variance (VAR-2626).
2. All City Code Requirements and all City Departments design standards shall be met.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VAR-2651 - CALICO CONSTRUCTION SUPPLY ON BEHALF OF CENTURY STEEL INC., ET AL - Request for a Variance TO ALLOW THREE PROPOSED STRUCTURES WITHIN 16 FEET OF RESIDENTIALLY ZONED PROPERTY WHERE A MINIMUM SETBACK OF 50 FEET IS REQUIRED FOR STRUCTURES ON PROPERTIES IN AN M (INDUSTRIAL) Zone on 1.38 acres located at 3450 and 3500 Meade Avenue (APN: 162-08-301-004 and 005), M (Industrial) Zone, Ward 1 (Moncrief).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application (Not Applicable)
3. Staff Report (Not Applicable)

MOTION:

GALATI – Motion to HOLD IN ABEYANCE Item 29 [ZON-2735] and Item 30 [SDR-2736] to 9/11/2003 Planning Commission meeting and WITHDRAW WITHOUT PREJUDICE Item 10 [VAR-2651] and Item 21 [SDR-2580] – UNANIMOUS with McSWAIN excused.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, stated that the applicant requested this item be withdrawn without prejudice, however, the site development plan review would be heard.

GEORGE ROGERS, Architect, 4625 South Polaris, appeared on behalf of the applicant and confirmed the request to withdraw the variance without prejudice.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 10 – VAR-2651

MINUTES – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See Item 11 [SDR-2650] for related discussion.

(6:11 – 6:14)

1-140

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-2650 - CALICO CONSTRUCTION SUPPLY ON BEHALF OF CENTURY STEEL INC., ET AL - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR THREE PROPOSED COMMERCIAL/INDUSTRIAL STRUCTURES on 1.38 acres located at 3450 and 3500 Meade Avenue (APN: 162-08-301-004 and 005), M (Industrial) Zone, Ward 1 (Moncrief).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions and amending the following conditions:

- 13. Provide a copy of a recorded Joint Access and Parking Agreement between the adjoining parcels prior to the issuance of any permits.**
- 14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall meet the approval of the City Traffic Engineer.**

– UNANIMOUS with McSWAIN excused

This is Final Action

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 11 – SDR-2650

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that this item was held from the previous meeting in order to meet with the applicant to review a revised site plan. An additional site plan was submitted just prior to the meeting to address additional concerns. Staff had no concerns and recommended approval.

GEORGE ROGERS, Architect, along with TODD LANEY, the applicant, agreed to comply with all conditions; however, MR. ROGERS asked for clarification of two conditions. With regard to Conditions 13 and 14, DAVID GUERRA, Public Works Department, read the revisions for the record. MR. ROGERS concurred with the modifications.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See Item 10 [VAR-2651] for related discussion.

(6:35 – 6:41)

1-924

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. All buildings shall conform to the setback standards of Title 19.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 11 – SDR-2650

CONDITIONS – Continued:

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within an eight-foot wide planter to be located along the north property line. One additional tree shall be planted along the north property line to compensate for the lack of a tree in the parking lot.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. An Administrative Joining or other legal documentation shall be recorded to combine the two parcels into one legal entity.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 11 – SDR-2650

CONDITIONS – Continued:

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. The proposed gated entries shall remain in the open position during business hours.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

17. Meet with the Flood Control Section of Public Works to determine appropriate elevations and drainage flow paths prior to the submittal of any construction drawings for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - ROC-2671 - GERALD GARAPICH, A.I.A., LIMITED LIABILITY COMPANY ON BEHALF OF A.L.M. CORPORATION, ET AL - Request for a Review of Condition No. 6 of an approved Special Use Permit (U-0011-00), WHICH RESTRICTED COMMERCIAL ZONING TO THE WESTERN PORTION OF ACCESSOR'S PARCEL NUMBER 125-09-401-006 adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN: 125-09-401-006 and 017), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS - TABLED – UNANIMOUS with McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that in 1999 the County Commission approved rezoning the western portion of this parcel to C-2. When it was annexed into the City, it was designated as C-1 because it is comparable to the County's C-2 zoning district. Based on conditions imposed by the County and recorded with the deed, the City Council determined that the balance of the property would remain residential. Any deviation or change to a non-residential use

requires a review of condition by the Planning Commission and the City Council at a public hearing with notification of all registered homeowner associations located within a two-mile radius.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 12 – ROC-2671

MINUTES – Continued:

MR. CLAPSADDLE stated that review of the condition by the Planning Commission would permit the applicant to submit a future application for a non-residential use. If approved, the applicant would still be required to submit an application and the Planning Commission would have to determine if it is harmonious and compatible with the surrounding area. If the review of conditions is denied, the applicant cannot come back with a non-residential use.

GERALD GARAPICH, 10 Commerce Center Drive, the applicant, was present and concurred with MR. CLAPSADDLE'S explanation. He substantiated that there are plans for non-residential uses that the applicant feels are compatible with the existing residential uses in the area.

TODD FARLOW, 240 North 19th Street, asked if the applicant intends to build a senior citizens project. CHAIRMAN TRUESEDELL clarified that the Commission will only be considering the review of condition.

LOUISE RUSKAMP, resident of Las Vegas, opposed removal of the condition inasmuch as no plans have been submitted. She stated that no changes have occurred in the neighborhood and the residents still oppose commercial development outside the boundary of Town Center.

CAROL LeDUC, 7575 Rome Boulevard, objected to the removal of Condition 6. She stated that the neighbors have been consistent in opposing non-residential uses in their community.

MR. GARAPICH responded to the previous speaker's comments noting that unless the Planning Commission approves the removal of Condition 6, there would be no opportunity for his client to design any project or submit any plans. He stated that it appears the residents believe only a day care center or a senior citizens complex would be compatible. MR. CLAPSADDLE stated that senior housing is not listed in the code so in order to go forward with such a project a rezoning would be required, not a special use permit. He added that if the applicant intends to exceed eight units per acre, a plan amendment would be required.

MR. CLAPSADDLE, responding to COMMISSIONER EVAN'S inquiry, stated that the applicant has the option of submitting a site plan proposal concurrent with the request for review of Condition 6. COMMISSIONER GALATI stated he would not support the Review of Condition without a Site Development Plan Review application. COMMISSIONER GOYNES asked if the applicant's intent by not submitting an application was to eliminate additional expenditures should the residents reject his proposal. MR. GARAPICH replied affirmatively.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 12 – ROC-2671

MINUTES – Continued:

To justify the Commission's desire to see all related applications at the same time, CHAIRMAN TRUESDELL explained that the process would be an opportune time for both the Commission and the neighbors to look at all of the applications.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:26 – 7:48)

1-3076/2-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**PLANNING COMMISSION MEETING OF: AUGUST 28, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:****VAR-2782 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST -**

Request for a Variance TO ALLOW A 39-FOOT REAR SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 57-FOOT REAR SETBACK for a Convenience Store (with fuel pumps) adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack).

C.C.: 10/01/03**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****5****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****RECOMMENDATION:**

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused****To be heard by the City Council on 10/1/2003**

NOTE: COMMISSIONER DAVENPORT disclosed that BARRY BECKER, uncle of the applicant, is his neighbor but since he has no interest in this project, he did not foresee any problem voting on these items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, briefly described each application. He explained that Town Center Standards recommend that buildings for convenience stores with gas canopies be located at the corner of the property with the gas canopies situated to the center of the property. This application does comply with the Town Center Standards.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 13 - VAR-2782

MINUTES – Continued:

MR. DICHTER stated that a neighborhood meeting was held and concerns varied from location of the gas pumps to the block wall height, and lighting. He assured staff conditions addressed those particular concerns. Having worked with the applicant, staff believes every effort has been made to minimize the impact of the site on the surrounding area. Staff's recommended approval of the variance, the special use permits and the site development plan review.

ERNIE BECKER, the applicant, 50 South Jones Boulevard, was present. He agreed with staff recommendations with the exception of the requirement to provide a cover for the trash enclosure, the hours of operation of the car wash and prohibition of the single sale of alcohol.

MARSHALL MORTON, 4040 North Tenaya Way, representing Shortline Express Markets, stated that his operation, located adjacent to a busy intersection and the Durango Interchange, will provide a variety of services to the surrounding community. He stated that not having approval of the waiver for single sales of beer and wine would put his business at a competitive disadvantage.

CAROL LeDUC, 7575 Rome Boulevard, stated her opposition to the single sales of beer and wine especially since this operation will be located in close proximity to Centennial High School. She also objected to the extended hours of operation.

TODD FARLOW, 240 North 19th Street, questioned the setback variances and whether fumes from the gas station required the setbacks. MR. BECKER stated that the setbacks were not the issue, but required by the Town Center Standards. MR. FARLOW also wanted assurance that there are no problems with the trails. He recommended either a one or two year review be conducted.

RONALD DRAKE, 6345 North El Capitan Way, felt that there is an existing business that he felt was sufficient. He disapproved of the proposed 24-hour operation as it would greatly impact traffic and his privacy.

MR. BECKER assured that he plans to provide dense landscaping. Referring to the site plan, he indicated the adjacent vacant lot and a residence abutting the project site, which he plans to purchase.

COMMISSIONER GOYNES stated he had no problems with the car wash mainly because it did not abut the adjacent neighbors. He did question the alcohol sales. MR. BECKER stated that his store does not allow customers to break up six packs to buy a single. COMMISSIONER GOYNES asked whether covering the trash enclosure was for aesthetic reasons. MR. DICHTER replied affirmatively and added that the cover would prevent trash from scattering about

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 13 – VAR-2782

MINUTES – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 13 [VAR-2782], Item 14 [SUP-2541], Item 15 [SUP-2543], Item 16 [SUP-2544], Item 17 [SUP-2545], and Item 18 [SDR-2540] was held under Item 13 [VAR-2782].

(7:48 – 8:15)

2-386

CONDITIONS:

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-2545) and Site Development Plan Review (SDR-2540).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-2541 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST - Request for a Special Use Permit FOR ALCOHOLIC BEVERAGE SALES/LIQUOR STORE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (WITH FUEL PUMPS) adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with GOYNES voting No and McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER DAVENPORT disclosed that BARRY BECKER, uncle of the applicant, is his neighbor but since he has no interest in this project, he did not foresee any problem voting on these items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 14 – SUP-2541

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 13 [VAR-2782], Item 14 [SUP-2541], Item 15 [SUP-2543], Item 16 [SUP-2544], Item 17 [SUP-2545], and Item 18 [SDR-2540] was held under Item 13 [VAR-2782].

(7:48 – 8:15)

2-386

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2540).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to all Minimum Requirements as listed in the Town Center Development Standards Manual for an Alcoholic Beverage Sales/Liquor Store use.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-2543 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST - Request for a Special Use Permit FOR AN AUTOMATIC CAR WASH IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (WITH FUEL PUMPS) adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and deleting Condition 3 – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER DAVENPORT disclosed that BARRY BECKER, uncle of the applicant, is his neighbor but since he has no interest in this project, he did not foresee any problem voting on these items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 15 – SUP-2543

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 13 [VAR-2782], Item 14 [SUP-2541], Item 15 [SUP-2543], Item 16 [SUP-2544], Item 17 [SUP-2545], and Item 18 [SDR-2540] was held under Item 13 [VAR-2782].

(7:48 – 8:15)

2-386

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2540) including the car wash portion of the project.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The hours of operation shall be limited to the period between 7:00 A.M. and 10:00 P.M.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel or roadway.
5. No repair or servicing of vehicles is allowed.
6. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-2544 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST - Request for a Special Use Permit FOR GAMING (RESTRICTED) AND A WAIVER OF THE 330-FOOT DISTANCE SEPARATION FROM SINGLE FAMILY DETACHED DWELLINGS IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE (WITH FUEL PUMPS) adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER DAVENPORT disclosed that BARRY BECKER, uncle of the applicant, is his neighbor but since he has no interest in this project, he did not foresee any problem voting on these items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 16 – SUP-2544

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 13 [VAR-2782], Item 14 [SUP-2541], Item 15 [SUP-2543], Item 16 [SUP-2544], Item 17 [SUP-2545], and Item 18 [SDR-2540] was held under Item 13 [VAR-2782].

(7:48 – 8:15)

2-386

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2540).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of this Special Use Permit does not constitute approval of a gaming license.
4. A waiver to the 330-foot distance separation requirement from a single family detached dwelling is granted.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-2545 - ERNEST A. BECKER, IV AND KATHLEEN C. BECKER FAMILY TRUST - Request for a Special Use Permit FOR A CONVENIENCE STORE (WITH FUEL PUMPS) AND A WAIVER OF THE 330-FOOT DISTANCE SEPARATION FROM SINGLE FAMILY DETACHED DWELLINGS on 1.76 acres adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER DAVENPORT disclosed that BARRY BECKER, uncle of the applicant, is his neighbor but since he has no interest in this project, he did not foresee any problem voting on these items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 17 – SUP-2545

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 13 [VAR-2782], Item 14 [SUP-2541], Item 15 [SUP-2543], Item 16 [SUP-2544], Item 17 [SUP-2545], and Item 18 [SDR-2540] was held under Item 13 [VAR-2782].

(7:48 – 8:15)

2-386

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2540).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The installation and use of an outside public address or bell system is prohibited.
4. A waiver to the 330-foot distance separation requirement from a single family detached dwelling is granted.
5. Overhead lighting shall be controlled to avoid spill-over onto adjacent parcels. The lighting in the underside of the gas pump canopy must be recessed to avoid unnecessary glare and control spillover onto adjacent parcels.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-2540 - ERNEST A. BECKER IV AND KATHLEEN C. BECKER FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED CONVENIENCE STORE (WITH FUEL PUMPS) AND CAR WASH; A WAIVER OF THE REQUIREMENT FOR THE BUILDING TO BE LOCATED DIRECTLY ADJACENT TO THE FRONT LANDSCAPE PLANTER AND TO ALLOW A REDUCTION IN THE AMOUNT OF PERIMETER LANDSCAPING on 1.76 acres adjacent to the southeast corner of the North El Capitan Way alignment, proposed North Durango Drive, and West Centennial Parkway (APN: 125-29-501-001), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

5

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER DAVENPORT disclosed that BARRY BECKER, uncle of the applicant, is his neighbor but since he has no interest in this project, he did not foresee any problem voting on these items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 18 – SDR-2540

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 13 [VAR-2782], Item 14 [SUP-2541], Item 15 [SUP-2543], Item 16 [SUP-2544], Item 17 [SUP-2545], and Item 18 [SDR-2540] was held under Item 13 [VAR-2782].

(7:48 – 8:15)

2-386

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-2545).
3. A continuous internal pedestrian and handicapped accessible walkway is to be provided from the perimeter public sidewalk to the customer entrance.
4. Submit revised north and south elevations of the car wash to the Planning and Development Department for review and approval prior to the submittal of any building permits depicting the same façade articulation as on the west elevation of the convenience store (include the Cultured Stone pilasters, expansion joints, and stucco banding).
5. Neon lighting may not be used as an exterior material and the elevations shall be revised to remove any reference to neon lighting. Revised elevations will be required to be submitted as part of the building permit application process.
6. A revised landscaping plan shall be submitted to the Planning and Development Department for review and approval, prior to approval of any permits on this site to reflect the correct tree selection and spacing within the planter setback area, behind the sidewalk along the Centennial Parkway frontage, as required in the Town Center Development Standards or an acceptable alternative. The tree plantings within the four-foot amenity zone adjacent to Centennial Parkway shall be modified to provide one Palm Tree every 35 feet except in the area for the bus stop. The size of the trees shall comply with the Town Center Standards. Additionally, one tree shall be added to the parking lot landscape planter located at the southwest corner of the building.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 18 – SDR-2540

CONDITIONS – Continued:

7. The required trail and landscaping along the El Capitan Way (proposed Durango Drive) frontage shall be completed along the entire property and not just in the area for the proposed development (phase 1).
8. Per Map No. 7 of the Transportation Trails Element of the General Plan, bike lanes are required along Centennial Parkway and bike routes are required along El Capitan Way (proposed Durango Drive).
9. The sidewalk shall continue onto the east side of the entrance on Centennial Parkway.
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The developer shall be required to install the landscape requirements for the median within El Capitan Way (Durango Drive alignment) and Centennial Parkway where adjacent to the subject site.
11. All sidewalk patterns and street corners shall conform to the Town Center Development Standards for Special Pavement and Sidewalk Treatments.
12. A bicycle rack shall be provided in conjunction with the bus stop and one near the entrance to the convenience store.
13. Vacuum cleaners are not permitted adjacent to the convenience store.
14. An open space analysis table shall be submitted as part of the site plan submittal package for the southern portion of the site. The overall development will be required to adhere to the minimum 20% open space requirement.
15. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Overhead lighting shall be controlled to avoid spill-over onto adjacent properties. All lighting shall be directed away from residential property or screened. The lighting in the underside of the gas pump canopy must be recessed to avoid unnecessary glare and control spillover.
16. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 18 – SDR-2540

CONDITIONS – Continued:

17. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and residential dwellings. The trash enclosure shall include a roof that matches the building materials of the main building or an acceptable alternative to the Planning and Development Department.
18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
19. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
20. All City Code requirements and design standards of all City departments must be satisfied.
21. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Public Works

22. Dedicate 45 feet of right-of-way adjacent to this site for Centennial Parkway prior to the issuance of any permits.
23. Construct half-street improvements including appropriate overpaving, if legally able, on Centennial Parkway and Durango Drive (AKA the El Capitan Way alignment) adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
24. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 18 – SDR-2540

CONDITIONS – Continued:

25. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
26. Landscape and maintain all unimproved rights-of-way on Centennial Parkway and El Capitan Way (new Durango Drive) adjacent to this site.
27. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
28. Meet with the Flood Control Section of Public Works to determine appropriate elevations and drainage flow paths prior to the submittal of any construction drawings for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GPA-2516 - CITY OF LAS VEGAS - Request to amend portions of the Centennial Hills Sector Plan Map FROM: GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) TO: GC (General Commercial), O (Office), SC (Service Commercial), PF (Public Facility), and DR (Desert Rural) on property located on, or in close proximity to, both sides of Rancho Drive from Cheyenne Avenue to Gowan Road (APN: 138-12-301-002, 003, 004, 013, 014, 016, 138-12-315-006, 008, 009, 010, 138-12-710-002, 003, 041, 042, 043, 047, 048, 049, 050, 052, 053, 059, 138-12-810-011, 019, 039, and 040), Ward 6 (Mack).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

ANDY REED, Planning and Development Department, explained that staff was directed by the City Council to resolve land use compatibility issues related to split zoning parcels along Rancho Drive. Accordingly, staff recommended general plan amendments and rezoning split-zone parcels along with other select parcels in the area to create a buffer between the C-2 and R-E zoning districts. Staff recommended approval of both applications.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 19 – GPA-2516

MINUTES – Continued:

ATTORNEY SCOTT EATON, 300 South 4th Street, appearing on behalf of the Moore Family Trust, fully supported the general plan amendments.

ALFRED DUSHANE, 3725 Bradley Road, indicated his residence is located in the NARA area (Northwest Area Residential Association), and objected to the proposed amendments stating that the homeowners were not given an opportunity to participate in the decision making.

ALEX LOVE, United Rentals, 3521 North Rancho Drive, asked whether or not his property was included in the consolidation.

DEAN JETER, 3609 Beeson Court, expressed that his main concern was the transition between the commercial and residential properties. He stated that the NARA residents, in the past, have had difficulties dealing with the commercial properties. He noted that there is a tremendous amount of traffic congestion and was concerned about flooding. CHAIRMAN TRUESDELL assured MR. JETER that proposed amendments were previously addressed at numerous public meetings and the intent was to clear up old zoning matters that dated as far back at 1962. The entire process would bring these properties into conformance with the Master Plan.

LINDA YOUNG, 3625 Bradley Road, stated that her main concern is the preservation of the community and the rural preservation area.

PAUL VON RUEDEN, 5008 Light Springs Avenue, President of NARA, stated that the City was at fault for zoning the 660 feet along Rancho Drive. ROBERT GENZER, Director of Planning and Development Department, emphatically stated that the City of Las Vegas inherited the C-2 zoning from the County, 660 feet on either side of the centerline of Rancho Drive. He stated that the City had nothing to do with rezoning that property to C-2. Accepting MR. GENZER'S clarification, MR. VON RUEDEN stated that his association would like to continue working with the developers.

COMMISSIONER GALATI expressed his confusion regarding the opposition and noted that this proposal has been in the works for at least a year. He stated that the current zoning opens up avenues for a number of commercial uses to abut the rural preservation areas. The concept of the amendments was to create transition zones that are less intense than that allowed in the C-2 zones.

CHAIRMAN TRUESDELL concurred with COMMISSIONER GALATI'S comments. He reiterated that at least ten meetings have taken place, and each time the presentation remained consistently the same.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 19 – GPA-2516

MINUTES – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 19 [GPA-2516] and Item 20 [ZON-2526] was held under Item 19 [GPA-2516].

(8:15 – 8:25)

2-1337

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - ZON-2526 - CITY OF LAS VEGAS - Request for a Rezoning FROM: C-2 (General Commercial) and R-E (Residence Estates) TO: C-2 (General Commercial), C-1 (Limited Commercial), N-S (Neighborhood Services), O (Office), C-V (Civic), and R-E (Residence Estates) on property located on, or in close proximity to, both sides of Rancho Drive from Cheyenne Avenue to Gowan Road, (APN: 138-12-710-001, 002, 003, 004, 041, 042, 043, 044, 047, 048, 049, 050, 053, 059, 138-12-810-010, 011, 016, 039, and 040) Ward 6 (Mack).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to the added condition as follows:

- *All Site Development Plan Review applications shall be heard as a public hearing item by the Planning Commission and City Council.*

– **UNANIMOUS** with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 20 – ZON-2526

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 19 [GPA-2516] and Item 20 [ZON-2526] was held under Item 19 [GPA-2516].

(8:15 – 8:25)
2-1337

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-2580 - SF INVESTMENTS ON BEHALF OF MAS TRADING COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 46-LOT SINGLE FAMILY DEVELOPMENT AND TO ALLOW 4.6 DWELLING UNITS PER ACRE WITHIN A 10.0 ACRE RURAL PRESERVATION NEIGHBORHOOD BUFFER WHERE 3.0 DWELLING UNITS PER ACRE IS PERMITTED adjacent to the north and south sides of Peak Drive, approximately 630 feet east of Torrey Pines Drive (APN: 138-14-601-029, 138-14-601-030, 138-14-602-021, 138-14-701-001 and 002), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 5 (Weekly). *NOTE: A REVISED SITE PLAN WAS SUBMITTED DEPICTING 40 LOTS.*

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application (Not Applicable)
3. Staff Report (Not Applicable)

MOTION:

GALATI – Motion to HOLD IN ABEYANCE Item 29 [ZON-2735] and Item 30 [SDR-2736] to 9/11/2003 Planning Commission meeting and WITHDRAW WITHOUT PREJUDICE Item 10 [VAR-2651] and Item 21 [SDR-2580] – UNANIMOUS with McSWAIN excused.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:11 – 6:14)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VAR-2588 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF SHERRY SOBEL HARRIS - Request for a Variance TO ALLOW 39 PARKING SPACES WHERE 57 PARKING SPACES ARE REQUIRED FOR A PROPOSED 9,955 SQUARE FOOT FAMILY DOLLAR RETAIL STORE adjacent to the west side of Martin L. King Boulevard, approximately 400 feet south of Washington Avenue (APN: 139-28-304-002), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – ABEYANCE to 9/11/2003 Planning Commission meeting – UNANIMOUS with McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that these applications were held in abeyance to enable the applicant to resolve some concerns. A revised Site Plan was submitted and addressed the parking issue, the landscape buffers and the relocation of the loading zone. Additionally, the trash enclosure was moved to alleviate any concerns related to the Residential Adjacency Standards. Prior to this meeting, the applicant submitted another revised Site Plan that drastically reduced the size of the building, and, by doing so, the parking variance will no longer be required.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 22 – VAR-2588

MINUTES – Continued:

In spite of the applicant's efforts to address all the concerns, Planning staff did not have the opportunity to properly review the revisions, let alone forward the revisions to Public Works and Fire Services for their comments.

FRASER SMITH, 3571 Red Rock Street, appeared on behalf of the applicant. He asked to withdraw the variance request and to hold the Site Development Plan Review so that staff will have adequate time to review the revisions.

TODD FARLOW, 240 North 19th Street, felt that the widening of Martin Luther King Boulevard would affect the applicant's property.

DAVID GUERRA, Public Works Department, recommended both the variance and the site development plan review be held to the 9/11/2003 Planning Commission meeting. With staff still having to review the revised Site Plan, MR. GUERRA felt that in the event there was a problem with the parking requirement, the variance would still be active to address the issue.

For the record, COMMISSIONER GALATI asked that consideration be given to the widening of Martin Luther King Boulevard to ensure that the landscaping is adequate.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 22 [VAR-2588] and Item 23 [SDR-2587] was held under Item 22 [VAR-2588].

(8:25 – 8:47)

2-2236

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-2587 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF SHERRY SOBEL HARRIS - Request for a Site Development Plan Review FOR A PROPOSED 9,955 SQUARE FOOT FAMILY DOLLAR RETAIL STORE AND A REDUCTION IN THE AMOUNT OF PERIMETER AND PARKING LOT LANDSCAPING on 0.99 acres adjacent to the west side of Martin L. King Boulevard, approximately 400 feet south of Washington Avenue (APN: 139-28-304-002), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – ABEYANCE to 9/11/2003 Planning Commission meeting – UNANIMOUS with McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 22 [VAR-2588] and Item 23 [SDR-2587] was held under Item 22 [VAR-2588].

(8:25 – 8:47)

2-2236

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-2585 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF WELLS FARGO BANK - Request for a Site Development Plan Review FOR A PROPOSED 9,968 SQUARE FOOT RETAIL BUILDING (FAMILY DOLLAR); AND A REDUCTION IN THE AMOUNT OF PERIMETER AND PARKING LOT LANDSCAPING on 1.09 acres adjacent to the north side of Charleston Boulevard, approximately 300 feet west of Mohawk Street (APN: 138-36-408-010), R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that this application was held in abeyance from the last meeting in order to meet with the applicant and address the building elevations and parking issues. He noted that the landscape waiver is appropriate. Staff recommended denial because there is no variance for parking and the application still does not meet all of the standards of the code.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 24 – SDR-2585

MINUTES – Continued:

FRASER SMITH, 3571 Red Rock Street, appeared on behalf of the applicant. He explained that the designer for this project interpreted the parking count based on the usage of the building being part storage and part retail. MR. SMITH verified that the applicant was informed that the required parking was not being met and agreed to either seek a shared-parking agreement or reduce the size of the store.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:47 – 8:51)

2-2684

CONDITIONS:

Planning and Development

1. The site plan shall be revised and submitted to the Planning and Development Department for review and approval, prior to the time application is made for a building permit, to reflect compliance with minimum on-site parking requirements, execute an off-site parking agreement satisfactory to Title 19.10.010 H., or obtain approval of a variance request from City Council to allow for a reduction in the amount of on-site parking requirements.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All perimeter landscape planters shall include 24-inch box trees and 5-gallon shrubs in compliance with minimum standards of Title 19.12.060.
4. Where required parking lot landscape fingers are not present, the required 24-inch box tree shall be added to the nearest perimeter landscape planter.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 24 – SDR-2585

CONDITIONS – Continued:

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and residential zoned properties.
8. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08.45
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 24 – SDR-2585

CONDITIONS – Continued:

17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

18. Meet with the Flood Control Section of Public Works to determine appropriate elevations and drainage flow paths prior to the submittal of any construction drawings for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MOD-2813 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF TRAN NHU THI - Request for a Major Modification to the Lone Mountain Master Plan TO ADD A 5.49 ACRE PARCEL INTO THE PLAN AND TO CHANGE THE LAND USE DESIGNATION FROM: PCD (Planned Community Development) TO: MEDIUM-LOW DENSITY RESIDENTIAL on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail (APN: 137-01-801-007), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY GRONAUER’S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 25 – MOD-2813

MINUTES – Continued:

EDDIE DICHTER, Planning and Development Department, explained that the applicant is requesting to change the designation to Medium-Low Density Residential that allows 5.6 to 8 units per acre. Staff determined that the M-L is compatible to the surrounding properties. He noted that staff recommended denial of the open space variance inasmuch as it does not meet the open space requirements.

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He pointed out the location of the proposed subdivision on the overhead and listed the density statistics for the adjacent properties. ATTORNEY GRONAUER described the project as single-family detached homes and acknowledged that open space will be provided in addition to a 25-foot wide multi-trail. Because the subdivision will be located near a planned park and school, the applicant felt it would be appropriate to request a variance of the open space.

TODD FARLOW, 240 North 19th Street, objected to the design of the subdivision and the applicant's non-compliance with the open space requirements.

ROBERT HARRISON indicated he resides adjacent to the subject property. He was concerned that the view that he has enjoyed will be blocked. In addition, he felt this project was too dense and that the open space requirement should be met.

ROBERT JONES, 4024 Driscoll Mountain, appeared in opposition. Like the previous speaker, he is afraid he will no longer be able to enjoy the view, an amenity he paid extra for when he purchased his property. He felt that single story homes with large lot sizes would eliminate that concern.

ATTORNEY GRONAUER explained that the subject project is approximately 10 feet lower than the adjacent homes to the west because of the slope of the property. With the addition of five feet of landscaping, a 39-foot wide street and 14 to 20 feet yard frontage, he declared that none of the homes to west would have obstructed views.

COMMISSIONER GALATI asked if the applicant would consider removing one lot in order to satisfy the open space requirement. ATTORNEY GRONAUER replied that he believed the developer would be agreeable and would consider converting Lot 13, located in the middle of the subdivision, to open space. Agreeing to the conversion, ATTORNEY GRONAUER stated that the variance would no longer be needed.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 25 – MOD-2813

MINUTES – Continued:

CHAIRMAN TRUESDELL commented on the layout of the project and stated he could not support the site plan. COMMISSIONER GALATI stated that considering the constraints of this particular parcel, he looked at the overall design as more advantageous than having a 16-foot block wall.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 25 [MOD-2813], Item 26 [ZON-2771], Item 27 [VAR-2773], and Item 28 [SDR-2772] was held under Item 25 [MOD-2813].

(8:51 – 9:11)

2-2852/3-1

CONDITIONS:

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan and Design Standards.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site.
4. An update to the Master Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas

Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-2771 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF TRAN NHU THI - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail (APN: 137-01-801-007), Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 25 [MOD-2813], Item 26 [ZON-2771], Item 27 [VAR-2773], and Item 28 [SDR-2772] was held under Item 25 [MOD-2813].

(8:51 – 9:11)
2-2852/3-1

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 26 – ZON-2771

CONDITIONS - Continued:

Planning and Development

1. Approval of a Major Modification to the Lone Mountain Master Development Plan to include a 5.49 acre parcel adjacent to the north side of Alexander Road approximately 335 feet west of Vegas Vista Trail into the Plan and change the Land Use Designation from: PCD (Planned Community Development) to ML (Medium Low Density residential) by the City Council.
2. A Site Development Plan Review application (SDR-2772) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Vacation Application to vacate the excess 10 feet of Bureau of Land Management (BLM) right-of-way grant adjacent to this site, per BLM #N-66444, along Alexander Road; such vacation shall record prior to the recordation of a Final Map overlying or adjacent to the area to be vacated.
4. Dedicate 40 feet of right-of-way adjacent to this site for Alexander Road prior to the issuance of any permits.
5. Construct half-street improvements including appropriate overpaving if legally able on Alexander Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. An update to the Lone Mountain Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site,

if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 26 – ZON-2771

CONDITIOINS– Continued:

Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-2773 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF TRAN NHU THI - Request for a Variance TO ALLOW 7,421 SQUARE FEET OF OPEN SPACE WHERE 11,220 SQUARE FEET IS REQUIRED adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail (APN: 137-01-801-007), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS with McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 25 [MOD-2813], Item 26 [ZON-2771], Item 27 [VAR-2773], and Item 28 [SDR-2772] was held under Item 25 [MOD-2813].

(8:51 – 9:11)

2-2852/3-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-2772 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF TRAN NHU THI - Request for a Site Development Plan Review FOR A PROPOSED 34-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 5.49 acres adjacent to the north side of Alexander Road, approximately 335 feet west of Vegas Vista Trail (APN: 137-01-801-007), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions and adding the following conditions:

- *The development is limited to 33 lots.*
- *The applicant shall work with staff to determine the appropriate location of additional open space that will bring the development into conformance with open space requirements. Revised plans must be submitted prior to City Council hearing.*

– Motion carried with TRUESDELL and DAVENPORT voting No and McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 28 – SDR-2772

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 25 [MOD-2813], Item 26 [ZON-2771], Item 27 [VAR-2773], and Item 28 [SDR-2772] was held under Item 25 [MOD-2813].

(8:51 – 9:11)

2-2852/3-1

CONDITIONS:

Planning and Development

1. A Major Modification to the Lone Mountain Master Development Plan (MOD-2813) to include a 5.49 acre parcel adjacent to the north side of Alexander Road approximately 335 feet west of Vegas Vista Trail into the Plan and change the Land Use Designation from: PCD (Planned Community Development) to ML (Medium Low Density residential) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center for the perimeter buffer area along the north property line and tree species that conform with Appendix B of the Lone Mountain Master Development Plan. The landscape plan must provide the required amount of trees.
5. A revised landscaping plan must be submitted prior to or at the same time application is made for a building permit.
6. Air conditioning units shall not be mounted on rooftops.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
8. Any property line wall along the perimeter of the overall site shall be a decorative block wall, with at least 20 percent contrasting materials, or a wrought iron fence with decorative concrete or stone pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. Design shall conform to the Lone Mountain Design Standards.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 28 – SDR-2772

CONDITIONS – Continued:

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City Code requirements and design standards of all City departments must be satisfied.
11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. All dwellings must provide a minimum two car garage.
13. The setbacks for this development shall be a minimum of 20 feet to the front of the garage and 14 feet to the house, 10 feet to the corner side, 5 feet on the side, and 15 feet in the rear.

Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entries, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 28 – SDR-2772

CONDITIONS – Continued:

19. Site development to comply with all applicable conditions of approval Zoning Reclassification ZON-2771 and all other subsequent site-related actions.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-2735 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 4.56 acres adjacent to the southwest and southeast corners of Corbett Street and Bronco Street (APN: 125-26-707-001 and 125-26-706-003), Ward 6 (Mack).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – Motion to HOLD IN ABEYANCE Item 29 [ZON-2735] and Item 30 [SDR-2736] to 9/11/2003 Planning Commission meeting and WITHDRAW WITHOUT PREJUDICE Item 10 [VAR-2651] and Item 21 [SDR-2580] – UNANIMOUS with McSWAIN excused.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:11 – 6:14)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-2736 - BRONCO/CORBETT, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 13-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.56 acres adjacent to the southwest and southeast corners of Corbett Street and Bronco Street (APN: 125-26-707-001 and 125-26-706-003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – Motion to HOLD IN ABEYANCE Item 29 [ZON-2735] and Item 30 [SDR-2736] to 9/11/2003 Planning Commission meeting and WITHDRAW WITHOUT PREJUDICE Item 10 [VAR-2651] and Item 21 [SDR-2580] – UNANIMOUS with McSWAIN excused.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:11 – 6:14)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-2676 - GREG SHAY AND DAVID MICHAEL CHAMBERS - Request for a Variance TO ALLOW A SIX-FOOT HIGH WALL IN THE FRONT YARD AREA WHERE FOUR FEET TOTAL WITH THE TOP TWO VERTICAL FEET 50 PERCENT OPEN IS THE MAXIMUM HEIGHT PERMITTED at 9312 Verlaine Court (APN: 138-31-612-026), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (McDonald).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that this particular lot is peculiar in shape. Code defines the side of the lot as the front; however, because it actually functions as the side and rear of the property where a wall would normally be allowed, staff determined that there is a hardship and recommended approval.

DAVID MICHAEL CHAMBERS and GREG SHAY, the applicants, 9312 Verlaine Court, were present and concurred with staff's recommendations.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 31 – VAR-2676

MINUTES – Continued:

KAREN WILLIAMS, 851 Palace Court Drive, appeared in opposition. She stated that this project was not submitted to or approved by the Design Review Committee at Queensridge.

ATTORNEY BRUCE FLAMME, 8440 Westcliff Drive, representing the Queensridge Association, requested denial of the variance. He explained that the Queensridge Board of Directors and Design Review Committee are the only entities empowered to grant or deny approval of any construction within the community. He added that any construction would be in violation of the governing documents and a fine would be levied. ATTORNEY FLAMME concluded that the Design Review Committee's stand is not to deny the application but to ensure that the review process is met.

Based on the information provided by the previous speakers, COMMISSIONER EVANS asked DEPUTY CITY ATTORNEY BRYAN SCOTT if the Commission could go forward with the application. DEPUTY CITY ATTORNEY SCOTT disclosed that private covenants and conditions do not hinder the Commission's decision on any items; however, it would be the applicant's responsibility to follow up with Queensridge in order to obtain final approval.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:30 – 9:35)

3-179

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The proposed walls shall be painted and finished in a material that will match the design of the main dwelling unit.
3. All development shall be in conformance with the site plan as submitted.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-2765 - TRINITY UNITED METHODIST CHURCH - Request for a Variance TO ALLOW A TWENTY-ONE FOOT TALL, EIGHTY SQUARE FOOT FREESTANDING SIGN WITH AN ELECTRONIC MESSAGE UNIT WHERE A TWELVE FOOT TALL, FORTY-EIGHT SQUARE FOOT FREESTANDING SIGN IS PERMITTED AND WHERE ELECTRONIC MESSAGE BOARDS ARE PROHIBITED at 6151 West Charleston Boulevard (APN: 163-01-101-001), C-V (Civic) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

164

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Letter of approval dated 8/25/2003 from the S/W Charleston, Jones, Sahara, Rainbow Neighborhood Association with four signatures
5. Submitted at meeting: Petition of approval representing 148 residences
6. Submitted at meeting: Letters of approval from 6 business establishments
7. Submitted at meeting: List of Ministries that utilize the Trinity United Methodist Church

MOTION:

DAVENPORT – APPROVED subject to conditions and amending Condition 3 as follows:

3. All development shall be in conformance with the site plan and sign elevations. *The electronic message unit is not permitted. The sign elevations shall be modified to not show the electronic message unit.*

– Motion carried with EVANS and GOYNES voting No and McSWAIN excused

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 32 – VAR-2765

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, stated that the requested variance is to allow a 21-foot tall, 80-square foot freestanding sign with an electronic message unit. The size and width of the sign are not allowed by code and code further prohibits electronic message boards in the C-V zone. MS. WHEELER also explained that code does not allow message boards within 200 feet from any residential zoning use. Staff recommended denial.

ATTORNEY PRESTON HOWARD, 2700 West Sahara Avenue, appeared on behalf of the applicant. Using the overhead, he described the new sign that would replace the existing elevated sign and the monument sign. Using measurements just to the top of the sign, he estimated that height to be approximately 16 ½ feet tall rather than 21 feet as stated by staff. He explained that had the City not zoned the parcel C-V, it would have been zoned C-2, consistent with the four corners adjacent to the Church. ATTORNEY HOWARD proceeded to show the various establishments that have sign heights of 20 feet or greater. ATTORNEY HOWARD submitted support letters from six business establishments as well as a petition supporting the project..

DEPUTY CITY ATTORNEY BRYAN SCOTT reiterated for the Commission that the basis for approval or denial should be the specifics for granting a variance according to code.

JUNE DELI, 6356 Cobalt Lane, represented the adjacent neighbors. She stated that the residents were invited to attend a meeting where the Church presented its proposals. Having reviewed the plans and after extensive discussions, the residents supported the Church's proposal for the new signage. She submitted a letter in support of the project.

TODD FARLOW, 240 North 19th Street, agreed that the proposed signage is better in appearance than the existing billboards.

MS. WHEELER clarified for the record that the three corners alluded to by ATTORNEY HOWARD are zoned C-1, and the northwest corner is zoned C-2 and is R-1. According to code, the closest R-1 zoned property would be the property immediately across the street.

COMMISSIONER EVANS agreed with DEPUTY CITY ATTORNEY SCOTT that approval should not be based on the merits of the Church but as it pertains to the code that specifically prohibits this type of signage.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 32 – VAR-2765

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:35 – 10:03)

3-435

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All existing freestanding ground signs and monument signs must be removed prior to the final inspection of the new freestanding sign.
3. All development shall be in conformance with the site plan and sign elevations.

Public Works

4. The proposed sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-2769 - DOME, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A MINOR AUTOMOTIVE REPAIR GARAGE at 5230 West Charleston Boulevard (APN: 138-36-803-013), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, briefly summarized the application. The property is adjacent to a building to the west and they share a joint access point and have a joint access parking agreement. Staff recommended approval based on the applicant's compliance with all the conditions of the code.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant and agreed with staff's recommendations.

TODD FARLOW, 240 North 19th Street, commended the owner of the automotive repair garage.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 33 – SUP-2769

MINUTES – Continued:

MR. FOSTER confirmed that there would be no motorcycle test driving along the residential streets.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:03 – 10:07)

3-1249

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All repair and service work shall be performed within a completely enclosed building.
3. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
5. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
6. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.
7. Conformance to the applicable Conditions of Approval for Site Development Plan Review [(Z-0006-66(37))].
8. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-2781 - DOUGLAS AND KATSUMI SCHLAGETER - Request for a Variance TO ALLOW A 13-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED ROOM ADDITION at 512 Essex West Drive (APN: 139-31-310-117), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated that this property is an odd-shaped parcel with the narrow portion considered the front. Staff recommended denial based on their determination that there is no hardship and the request does not meet the criteria for granting a variance.

DOUGLAS SCHLAGETER, the applicant, 512 West Essex Drive, was present and stated he previously submitted justification letters from ten of the adjacent neighbors in support of his project. He stated he agreed with all conditions listed by staff.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 34 – VAR-2781

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:07 – 10:15)

3-1427

CONDITIONS:

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the site plan as submitted.
3. All necessary permits shall be obtained from the Building and Safety Department prior to start of construction.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-2795 - FRANK A SPOSATO ON BEHALF OF W M LAND DEVELOPMENT -

Request for a Variance TO ALLOW A 26 FOOT REAR YARD SETBACK WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED FOR THE BALCONIES ON A PROPOSED SINGLE FAMILY DWELLING at 1500 Marbella Ridge Court (APN: 163-03-213-003), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, explained that the applicant is requesting a reduction in the rear yard setback. Staff felt the house could be reduced in size and the balconies could be eliminated so as not to require a variance. Staff recommended denial.

FRANK SPOSATO, 230 East Flamingo Road, appeared on behalf of the applicant and agreed that he has no hardship. He compared his proposal to other homes in the area. He concurred with staff conditions.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 35 – VAR-2795

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, felt the addition of the balconies would be an enhancement to the home.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:11 – 10:15)

3-1607

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the site plan as submitted.
3. All necessary permits shall be obtained from the Building and Safety Department prior to start of construction.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

RQR-2785 - RANCHO OASIS, LIMITED PARTNERSHIP - Required Three Year Review of an approved Variance [V-0023-95(1)] WHICH ALLOWED TWO 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS at 2951 North Rancho Drive (APN: 138-13-601-019) C-2 (General Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated that the three-year review is required. The two billboards are approximately 300 feet apart. He added that this a special use permit under a variance application that was no longer necessary. He stated that the signs are well maintained and are appropriate for the location. MR. DICHTER concluded that the “Propane” sign on the support pole of the northern billboard must be removed.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant, concurred with staff recommendations.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 36 – RQR-2785

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, pointed out that there were no pictures of the billboards being displayed.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESELLE declared the Public Hearing closed.

(10:15 – 10:17)

3-1735

CONDITIONS:

Planning and Development

1. This Variance shall be reviewed in five (5) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. Remove the sign (PROPANE) from the support pole of the off-premise advertising (billboard) sign with 10 days of final approval by City Council. Signs shall not be permitted on the support poles of the billboards.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. If the existing off-premise advertising sign structure is removed, this Variance shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. Only one advertising sign is permitted per sign face.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

RQR-2790 - CLEAR CHANNEL OUTDOOR ON BEHALF OF MINI-MASTERS, INC. -

Required One Year Review of an approved Special Use Permit [U-0298-94(2)] WHICH ALLOWED A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6900 West Craig Road (APN: 138-03-602-015), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESEDELL abstaining as the applicant is a client of his firm and McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

COMMISSIONER GALATI declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, explained that during the last review of this application a condition was added requiring all the interior support structures to be screened. The applicant has complied with the condition and staff has recommended approval.

MISTY BAIER, Clear Channel Outdoor, 3311 Meade Avenue, appeared on behalf of the applicant and concurred with staff recommendations.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 37 – RQR-2790

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, objected to the five-year review. He stated he would like for the billboards to look similar to those located on the Chelsea Outlet properties.

No one appeared in opposition.

There was no further discussion.

COMMISSIONER GALATI declared the Public Hearing closed.

(10:17 – 10:20)

3-1837

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
4. If the existing off-premise advertising sign structure is removed, this Variance shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. Only one advertising sign is permitted per sign face.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

RQR-2792 - SENSATION SPA OF NEVADA ON BEHALF OF HOWARD JOHNSON -

Required One Year Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN: 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, presented two issues of concern to staff. The spa sales still exists but has been expanded into an area not covered by the existing use permit. The second problem relates to conditions of approval that have never been complied with.

DAVID MADDOX, 3340 North Rancho Drive, appeared on behalf of the applicant. With regard to the expansion, he stated that no changes have been made as far as the location of display materials. Additionally, the applicant is in the process of effecting all of the original conditions of approval.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 38 – RQR-2792

MINUTES – Continued:

MR. CLAPSADDLE indicated that the expansion appears to have extended into the lot to the north of the site.

CHAIRMAN TRUESDELL asked why the conditions were not complied with. MR. MADDOX stated that the applicant has consulted with the Department of Transportation regarding the construction of the driveway; however, their recommendation was to include both halves of the property, not just the portion that has the special use permit.

TODD FARLOW, 240 North 19th Street, suggested the Commission impose a 90-day or, at the most, a six-month deadline in which to comply with all of the conditions.

COMMISSIONER EVANS asked if any of the conditions were met.

COMMISSIONER GALATI stated he would be willing to support another one-year review to allow the applicant time to meet all the conditions.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:20 – 10:26)

3-1960

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the open-air vending/transient sales lot use be discontinued. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that use be discontinued.
2. Any outside storage kept in conjunction with this use shall conform to the requirements set forth in Title 19.04.040 of the Las Vegas Zoning Code.
3. The open air/transient sales lot use shall not be extended onto adjacent parcels
4. All parking areas shall be paved and appropriately marked in accordance with the requirements of Title 19.10 of the Las Vegas Zoning Code.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 38 – RQR-2792

CONDITIONS – CONTINUED:

5. This condition replaces condition 6 of the original Special Use Permit (U-0052-02). ‘A landscaping plan depicting the required Multi-Use Transportation Trail, along Rancho Drive, in accordance with the standards as outlined in the Master Plan Transportation Trails Element must be submitted to the Planning and Development Department within 90 days after City Council approval of this Required Review. The Civil Improvement Plans shall be modified to depict the required Multi-Use Transportation Trail.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. Conformance to conditions of approval for Special Use Permit (U-0052-02).
8. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

RQR-2814 - FLETCHER JONES - Required Two Year Review of an approved Special Use Permit [U-0035-93(2)] WHICH ALLOWED A 40 FOOT HIGH, 12 FOOT 6 INCH BY 17 FOOT 6 INCH OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on the southeast corner of the intersection of Rancho Drive and Ann Road (APN: 125-34-501-003), C-2 (General Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, stated the application meets the standards of the code as well as the distance separations. Staff recommended approval.

JEFF SPECIAL, 6250 Rio Vista Street, appeared on behalf of the applicant. He concurred with staff recommendations.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 39 – RQR-2814

MINUTES – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:26 – 10:27)

3-2215

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-2733 - ARTISAN HOTEL & SPA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A TAVERN AND A WAIVER OF THE MINIMUM DISTANCE SEPARATION REQUIREMENT BETWEEN TAVERNS at 1501 West Sahara Avenue (APN: 162-09-110-001, 002, and a portion of 162-09-110-003), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

5

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESEDELL abstaining as he represents a property owner who resides in the notification area and McSWAIN excused

NOTE: A motion to hear this item was made by GOYNES – UNANIMOUS with TRUESEDELL abstaining as he represents a property owner who resides in the notification area and McSWAIN excused

To be heard by the City Council on 10/1/2003

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 40 – SUP-2733

MINUTES:

COMMISSIONER GALATI read the subject description and as advised by ROBERT GENZER, Director of Planning and Development Department, stated that any action taken would be strictly to determine whether to hold this item in abeyance or have full discussion based on its merits. Subsequently, a motion was made to hear this item.

NEIL BELLER, 7408 West Sahara Avenue, and DOUGLAS DaSILVA, 1501 West Sahara Avenue, appeared on behalf of the Artisan Hotel & Spa. MR. BELLER explained that the applicant has spent an enormous amount of money in an effort to refurbish and improve the Artisan Hotel. He added that this application has no relationship with the application submitted by the Highland Street Group and should be heard.

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant is asking for a waiver of the distance requirement from the subject parcel to the Crazy Horse II, located on the opposite side of Sahara Avenue. According to code, this application is eligible for the waiver of 1500-feet because there is a street separation greater than 99 feet. MR. CLAPSADDLE stated that these types of request are often made but have to be requested by the applicant. MR. CLAPSADDLE further explained that the request previously held in abeyance differs from this application as that request is for a waiver of 1500-feet from tavern to tavern, however, in that situation there is no intervening street having a width of 100 feet. When questioned by COMMISSIONER GALATI, DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that the CITY COUNCIL would likewise handle the subject waiver request in the same manner. With regard to any waiver of the distance requirement not having the proper street width intervention, DEPUTY CITY ATTORNEY SCOTT stated the CITY COUNCIL would not grant such a request..

TODD FARLOW, 240 North 19th Street, recommended the item be heard.

ATTORNEY ALLEN LICHTENSTEIN, 3315 East Russell Road, representing the Highland Street Group, Item 43 [SUP-2775] and Item 44 [SDR-2774] asked whether approval of the subject application, because it is being heard first, would adversely affect his client's application inasmuch as is being held in abeyance for two weeks. COMMISSIONER NIGRO explained that any action taken by the Planning Commission is strictly advisory, however, it is the City Council that will make the final decision.

The general consensus was to hear this item in the order that it was agendaed based on the merits of the application.

DAVID CLAPSADDLE, Planning and Development Department, explained that the subject application meets all the requirements of the code with the exception of the distance separation from the Crazy Horse II. He stated a variance would be appropriate and recommended approval.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 40 – SUP-2733

MINUTES – Continued:

MR. BELLER and MR. DA SILVA agreed with staff recommendations.

TODD FARLOW, 240 North 19th Street, stated that hotels should receive special consideration when it comes to taverns in light of the amount of money expended to promote tourism in Las Vegas.

GORDON VERNEY, 2601 Westwood Drive, owns the Travel Lodge next door and agreed that this establishment would definitely upgrade of the area.

MR. CLAPSADDLE concluded that a survey submitted by the applicant certified that the subject property exceeds the 1500-foot separation distance from Treasures to the south.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:14-7:26/10:26 –10:33)

1-2475/3-2287

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Tavern) use.
3. The use shall conform to the provisions of LMVC Chapter 6.50.
4. The waiver is approved for the distance separation from another tavern (Crazy Horse Too).
5. Parking shall be maintained at a minimum of 65 parking spaces including three handicapped accessible spaces. If the current parking lot configuration is modified, the applicant must submit a site plan, for review and approval by the Planning and Development Department, depicting the final parking lot configuration that adheres with all of Title 19 parking lot design standards.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SUP-2745 - RAUL ARTEAGA, D.V.M., LIMITED - Request for a Special Use Permit FOR AN ANIMAL HOSPITAL, CLINIC, OR SHELTER WITHOUT OUTSIDE PENS at 4301 West Sahara Avenue (APN: 162-07-501-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSwain excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that when the animal hospital was first constructed, there was no requirement for a use permit, however, because the applicant wishes to expand the building, a use permit will be required. Staff recommended approval subject to conditions.

BLAKE BURR, Copper Creek Construction, 6440 Schirlls Street, represented the applicant. Before accepting staff's recommendations, he asked for clarification of Conditions 8 and 9. MR. CLAPSADDLE explained that those are standard conditions. With regard to Condition 12, MR. BURR displayed photographs that indicated the required driveway access. DAVID GUERRA, Public

Works, stated that if traffic volume is low, the driveway could remain. Otherwise, it would have to be replaced in order to accommodate traffic volumes.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 41 – SUP-2745

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 41 [SUP-2745] and Item 42 [SDR-2744] was held under Item 41 [SUP-2745].

(10:33 – 10:35)

3-2519

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
3. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
4. Noise levels must comply with the applicable provisions of LVMC Title 7.
5. No more than 25% of the floor area may be used for the boarding of animals.
6. Animals shall be confined within an enclosed building at all times.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-2744 - RAUL ARTEAGA, D.V.M., LIMITED - Request for a Site Development Plan Review FOR A 900 SQUARE FOOT ADDITION TO AN EXISTING BUILDING (SAHARA ANIMAL HOSPITAL) AND A WAIVER TO THE PERIMETER LANDSCAPING STANDARDS at 4301 West Sahara Avenue (APN: 162-07-501-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSwain excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 41 [SUP-2745] and Item 42 [SDR-2744] was held under Item 41 [SUP-2745].

(10:33 – 10:35)

3-2519

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 42 – SDR-2744

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. A Special Use Permit (SUP-2745) to allow an animal hospital without outside pens shall be approved by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum of two, 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within the planter adjacent to Sahara Avenue and to depict a 24-inch box tree with a minimum of four five-gallon shrubs within the landscape planter depicted towards the rear property line.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 42 – SDR-2744

CONDITIONS - Continued:

Public Works

11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.
12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and shall also receive approval from the Nevada Department of Transportation.
13. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 42 – SDR-2744

CONDITIONS - Continued:

14. Meet with the Flood Control Section of the Department of Public Works for assistance in determining appropriate finished floor elevations and drainage pathways required for this site prior to the issuance of any permits for this site.
15. Landscape and maintain all unimproved right(s)-of-way on Sahara Avenue adjacent to this site.
16. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-2775 - HIGHLAND STREET GROUP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A TAVERN AND A WAIVER OF THE MINIMUM DISTANCE SEPARATION REQUIREMENT BETWEEN TAVERNS adjacent to the north side of Sutter Avenue, approximately 140 feet east of Highland Drive (APN: 162-09-110-035), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – ABEYANCE to 9/11/2003 Planning Commission meeting – UNANIMOUS with TRUESELL abstaining as he represents a client who owns property in the notice area and McSWAIN excused

MINUTES:

COMMISSIONER GALATI declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that staff recommended this item be stricken on the premise that the proposed project does not meet the distance separation from tavern to tavern. MR. CLAPSADDLE stated that all historical information is provided in the backup including the findings of City Surveyor RITA LOOMIS. MR. CLAPSADDLE stated it would never have met the criteria for placement on the agenda if all of the information been available at the time the application was filed,.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 43 – SUP-2775

MINUTES – Continued:

RITA LOOMIS, City Surveyor, disclosed that she was tasked with determining whether the subject parcel as it relates to entitlement would be considered one lot or two. Having researched the history of the parcel since its creation, MS. LOOMIS discovered that it was created as a single lot, by subdivision, in 1955 and remained so until 1972. In 1972 one half of the parcel was conveyed to MR. and MRS. BIGELOW; and, one year later, the remaining half was conveyed to them. All transactions were accomplished by deed with the legal description being one lot. The parcel remained the ownership of MR. and MRS. BIGELOW from 1973 to 1990. The parcel was subsequently conveyed to six successive owners, each time being legally described as one lot. MS. LOOMIS maintained that by law, this parcel must remain one lot for title purposes.

MS. LOOMIS related that the County Tax Assessor's office lists the property as two lots. In speaking with the mapping supervisor, she was advised that the lots would not be combined unless a request was made since it is not the County's responsibility to review deeds.

ATTORNEY DOMINIC GENTILE, 3960 Howard Hughes Parkway, appeared on behalf of the applicant and introduced ATTORNEY CHARLES DEANER, 720 South 4th Street. ATTORNEY DEANER concurred with MS. LOOMIS regarding the historical background of the subject property. He argued that based on the County Tax Assessor records, the property is listed as two separate lots and that has been reflected as such since 1973 to date. ATTORNEY DEANER maintained that the 1991 Boundary Adjustment Statute mandates that once two parcels are separated, they must remain as such.

Prior to opening the public hearing, ROBERT GENZER, Director of Planning and Development Department, asked COMMISSIONER GALATI to clarify whether the application would be heard as submitted by the applicant. COMMISSIONER GALATI asked for an opinion because of the technicalities involved.

NEIL BELLER, 7408 West Sahara, representing the Artisan Hotel, objected to Items 43 and 44 being brought forward and heard prior to Item 40. DEPUTY CITY ATTORNEY BRYAN SCOTT explained that the only discussion at this time is whether Items 43 and 44 would be stricken. COMMISSIONER GALATI explained that, if the decision is made to hear Items 43 and 44 based on the merits of that application, they would revert back to their order as agendaed.

COMMISSIONER EVANS verified with DEPUTY CITY ATTORNEY SCOTT that no action could be taken if the application pertained to one lot as alluded to by staff and the City Surveyor. DEPUTY CITY ATTORNEY SCOTT acknowledged that to be correct.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 43 – SUP-2775

MINUTES – Continued:

COMMISSIONER GALATI added that it would probably be beneficial to hold the items in abeyance to allow adequate time to resolve the problem. If no resolution evolved, the Commission would then have no option but to take action based on the information provided. DEPUTY CITY ATTORNEY SCOTT commented that the Commission could proceed with striking these items as recommended by staff or holding the items and requesting more information. Considering the comments made by City staff, the City Surveyor and the applicant's Counsel, COMMISSIONER GALATI stated he was not comfortable making a decision having first seen the report tonight and not having adequate time to digest the comments made by ATTORNEY DEANOR.

ATTORNEY GENTILE interjected that he would agree to abeyance of the items only if the applications would not be prejudiced by the delay. COMMISSIONER GALATI explained that the Planning Commission presides as a recommending body and that the final action sits with the City Council.

DEPUTY CITY ATTORNEY BRYAN SCOTT asked staff to explain what position the applicant would be in if the site is determined to be two lots. MR. CLAPSADDLE stated a tavern could be placed on the back lot because the measurement is taken from that lot and it would exceed the 1,500-foot separation distance. However, the applicant could not put a sexually oriented business (SOB) on that site because it would not meet the separation distance from Peepland, an adjacent SOB and that distance separation is not waiveable. MR. CLAPSADDLE pointed out that if a tavern is proposed for the back piece of property, the applicant must demonstrate that it would meet the standards of the code before it could be built.

DEPUTY CITY ATTORNEY BRYAN SCOTT recalled discussions with both staff and with the applicant and stated that the City Attorney sees both sides of the matter. COMMISSIONER NIGRO stated his opinion would be based on the City Attorney's decision as to whether the property consists of one lot or two. ATTORNEY DEANER suggested the items be held for discussion based on the merits of the application. In response to COMMISSIONER NIGRO, DEPUTY CITY ATTORNEY BRYAN SCOTT stated he felt it would be possible to make a decision within two weeks based on the information provided by the City Surveyor and the validity of the documentation as to conveyance.

Having heard COMMISSIONER GALATI'S position on holding the item, ATTORNEY DEANER agreed that the additional time would enable him to thoroughly review the case and meet with the City Attorney.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 43 – SUP-2775

MINUTES – Continued:

COMMISSIONER EVANS agreed that holding the item would give everyone an opportunity to revisit the issue. COMMISSIONER GOYNES asked if the Tax Assessors Office would be involved in any future discussion. DEPUTY CITY ATTORNEY SCOTT replied that the County's position was clearly stated in its initial contact with MS. LOOMIS..

No one appeared in opposition.

There was no further discussion.

COMMISSIONER GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 43 [SUP-2775] and Item 44 [SDR-2774] was held under Item 43 [SUP-2775].

(6:41 – 7:26)

1-1120

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-2774 - HIGHLAND STREET GROUP, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A TWO-STORY 4,500 SQUARE FOOT SEXUALLY ORIENTED BUSINESS AND A WAIVER OF THE PERIMETER AND PARKING LOT LANDSCAPE STANDARDS on 0.62 acres adjacent to the northeast corner of Highland Drive and Sutter Avenue (APN: 162-09-110-021 and 035), M (Industrial) Zone, Ward 1 (Moncrief).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – ABEYANCE to 9/11/2003 Planning Commission meeting – UNANIMOUS with TRUESEDELL abstaining as he represents a client who owns property in the notice area and McSWAIN excused

MINUTES:

COMMISSIONER GALATI declared the Public Hearing open

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 44 – SDR-2774

MINUTES – Continued

There was no discussion.

COMMISSIONER GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 43 [SUP-2775] and Item 44 [SDR-2774] was held under Item 43 [SUP-2775].

(6:41 – 7:26)

1-1135

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-2777 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A TAVERN adjacent to the south side of Deer Springs Way, approximately 200 feet east of El Capitan Way (a portion of APN: 125-20-710-002), T-C (Town Center) Zone [UC-TC (Urban Core - Town Center) Land Use Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with TRUESEDELL abstaining because one of his associates owns property directly across from the subject site and McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

COMMISSIONER GALATI declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, stated the use is appropriate. With regard to the site plan, the applicant has tried to reposition the building to comply with the Town Center standards. MR. CLAPSADDLE noted that staff would continue to monitor the parking situation on this site. Staff recommended approval.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 45 – SUP-2777

MINUTES – Continued:

TODD HOLZER, 17015 Scottsdale Road, Scottsdale, Arizona, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

COMMISSIONER GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 45 [SUP-2777] and Item 46 [SDR-2776] was held under Item 45 [SUP-2777].

(10:35 – 10:42)

3-2766

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-2482).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. Conformance to all relevant Minimum Requirements under the Montecito Town Center Development Agreement for a “Liquor Establishment (Tavern)” use.
6. All development shall conform to the Conditions of Approval for the Tentative Map and all other subsequent site related actions.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-2776 - 36 ACRE, LIMITED LIABILITY COMPANY ON BEHALF OF DURANGO 215, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of the Town Center Build-To-Line Development Standard FOR A PROPOSED 5,000 SQUARE FOOT RESTAURANT/TAVERN on 0.77 acres adjacent to the south side of Deer Springs Way, approximately 200 feet east of Durango Drive (a portion of APN: 125-20-710-002), T-C (Town Center) Zone [UC-TC (Urban Core - Town Center) Land Use Designation], Ward 6 (Mack).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because one of his associates owns property directly across from the subject site and McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

COMMISSIONER GALATI declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 46 – SDR-2776

MINUTES – Continued:

COMMISSIONER GALATI declared the Public Hearing closed.

NOTE: All discussion for item 45 [SUP-2777] and Item 46 [SDR-2776] was held under Item 45 [SUP-2777].

(10:35 – 10:42)

3-2800

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-2777) for a Tavern approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. Construct a Town Center Arterial Trail along Deer Springs Way as required by the Montecito Development Standards.
4. The building elevations shall meet Montecito Town Center Development Agreement Standards, particularly along the Deer Springs Way frontage. The tile and stone veneer shall cover a minimum of ten percent of the building elevation as required by the Montecito Development Agreement. The north elevation of the building shall be designed to have the appearance of windows/ doors as shown on the other three elevations. The revised elevations shall be approved by the Planning and Development Department prior to the submittal of building permits for this development.
5. The site plan shall be amended to demonstrate conformance to the parking standards. The Trash Enclosure shall be located at the southwest corner of the parcel to facilitate access and compliance with the Montecito Development Agreement. Pedestrian access ways shall be shown from the southern boundary of the parcel to the street and use. Provide building access from the street.
6. All other development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
7. Pursuant to the Montecito Town Center Development Agreement, compliance with approved Master Sign Plan MSP-0013-01 is required for on-premise signs in the Development Agreement area, and the Centennial Hills Town Center Architectural Review Committee (CHARC) must approve such signs.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 46 – SDR-2776

CONDITIONS – Continued:

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.] The number and types of trees along Deer Springs shall conform to the Town Center Arterial Street landscape standards.
9. All mechanical / electrical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 46 – SDR-2776

CONDITIONS – Continued:

17. If not already constructed by the Master Developer, construct the full width of the proposed driveways accessing this site and construct appropriate on-site paving to allow for two-way vehicular traffic concurrent with development of this site.
18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.
19. Site development to comply with all applicable conditions of approval for Z0076-98, the Montecito Lifestyle Center (Commercial Subdivision) and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SUP-2683 - RUBEN GONZALEZ ON BEHALF OF MIGUEL FAMILY TRUST 1993, ET AL - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR TO BE LOCATED WITHIN AN EXISTING RESTAURANT (LA CHOZA DE DON CHE CHE) at 1558 North Eastern Avenue (APN: 139-25-101-020), C-2 (General Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES- APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated this project is located within 500 feet of the County and was processed as a Project of Regional Significance. This application meets the requirements of Title 19 and staff recommended approval.

DAVE EDER, 777 East Quartz Avenue, Sandy Valley, represented the application and concurred with staff recommendations.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 47 – SUP-2683

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, appeared in support of the proposal.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:42 – 10:44)

3-2976

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, it shall be void unless an Extension of Time is granted.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The business shall conform to the provisions of Chapter 6.50 of the City of Las Vegas Municipal Code.
5. The Restaurant Service Bar use shall conform to the definition as listed in Title 19.20.020.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SUP-2734 - LINDA J HANEY ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR SECONDHAND SALES (Clothing) at 8320 West Sahara Avenue, Suite #160 (APN: 163-04-416-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated the application is in order. Staff received three protest, and is a Project of Regional Significance.. Staff recommended approval.

LINDA HANEY, the applicant, 5991 West O'Bannon Drive, concurred with all conditions.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 48 – SUP-2734

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:44 – 10:46)

3-3065

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. No outdoor display, sales or storage of any merchandise is permitted.
3. The use shall comply with the applicable requirements of Title 6 (Business Taxes, Licenses and Regulations) of the Las Vegas Municipal Code.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-2740 - PROSPER SAMUEL MINTZ - Request for a Special Use Permit FOR MOTORCYCLE/MOTOR SCOOTER SALES AND FOR A WAIVER TO THE MINIMUM 7,000 SQUARE FOOT BUILDING SIZE at 6040 West Sahara Avenue (APN: 163-01-401-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated that the applicant proposes to establish and locate a motorcycle and motor scooter sales store at the location of his present business. The sales area for the motorcycles and motor scooters will only comprise a small area of the existing store. To address one of the base conditions that regulates building sizes, the applicant has requested a waiver because his establishment does not meet those conditions.

PROSPER MINTZ, the applicant, 6040 West Sahara Avenue, concurred with staff conditions.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 49 – SUP-2740

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:46 – 10:47)

3-3168

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Motorcycle/Motor Scooter Sales use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All display and sales shall take place in an enclosed building
4. Approval of this Special Use Permit constitutes approval of the waiver to the base condition requiring a minimum building gross floor area of 7,000 square feet
5. All City Code requirements and design standards of all City departments must be satisfied

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-2758 - REAGAN NATIONAL ADVERTISING ON BEHALF OF COG III, LIMITED

- Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – DENIED – UNANIMOUS with McSWAIN excused

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated this billboard borders onto Charleston Boulevard. The billboard is appropriate for the proposed location. Staff recommended approval subject to eight conditions.

VICKY TROY, 3851 Pennwood Avenue, appeared on behalf of the applicant and concurred with staff recommendations.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 50 – SUP-2758

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, felt the site was too cluttered with billboards.

COMMISSIONER GALATI agreed with MR. FARLOW'S comments and stated he could not support this application because there are too many billboards in that location of town. CHAIRMAN TRUESDELL added that this area does not warrant the proliferation of billboards and therefore, he would not support the application..

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:46 – 10:52)

3-3308

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**PLANNING COMMISSION MEETING OF: AUGUST 28, 2003****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SUP-2759 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 789 North Nellis Boulevard (APN: 140-29-802-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 10/01/03**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)****PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**EVANS – ABEYANCE to 9/11/2003 – UNANIMOUS with McSWAIN excused****MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that both special use permits deal with advertising signs that are located on the same parcel.

VICKY TROY, 3851 Pennwood Avenue, represented both applications. She requested the items be held for two weeks to work out issues with staff.

TODD FARLOW, 240 North 19th Street, asked to see both signs on the overhead. MR. DICHTER clarified that these are two separate requests located in the same commercial subdivision but involving separate parcels. MR. FARLOW added that staff needs to look at saturation in this area.

There was no further discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 51 – SUP-2759

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 51 [SUP-2759] and Item 52 [SUP-2760] was held under Item 51 [SUP-2759].

(10:52 – 10:57)

3-3532

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL - Request for a Special Use Permit FOR A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE 50 FEET TALL WHERE 40 FEET IS THE MAXIMUM ALLOWED UNLESS THE DISPLAY SURFACE IS OBSCURED FROM VIEW at 745 North Nellis Boulevard (APN: 140-29-802-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – ABEYANCE to 9/11/2003 – UNANIMOUS with McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 51 [SUP-2759] and Item 52 [SUP-2760] was held under Item 51 [SUP-2759].

(10:52 – 10:57)

3-3532

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-2768 - HEE SEUNG JUNG ON BEHALF OF VILLAGE SQUARE LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 9410 West Sahara Avenue, Suite #150 (APN: 163-06-816-035), C-1 (Limited Commercial) Zone, Ward 2 (McDonald).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with TRUESDELL abstaining as he has a pending business transaction with Triple 5, GALATI not voting and McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

COMMISSIONER GOYNES declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, referenced the backup and stated that the application meets the base conditions of approval.

HEE SEUNG JUNG, the applicant, 9410 West Sahara Avenue, concurred with staff recommendations.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 53 – SUP-2768

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, felt that a one-year review would be warranted.

No one appeared in opposition.

There was no further discussion.

COMMISSIONER GOYNES declared the Public Hearing closed.

(10:57 – 10:58)

3-3795/4-1

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The business shall conform to the provisions of Chapter 6.50 of the City of Las Vegas Municipal Code.
5. The Restaurant Service Bar use shall conform to the definition as listed in Title 19.20.020.
6. All City Code requirements and design standards of all City departments must be satisfied.
7. The area depicted, as “sushi bar” on the submitted floor plan shall only be used for the purpose of serving food and/or alcoholic beverages served in conjunction with a meal.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SUP-2787 - WEST COAST FINANCIAL GROUP, LIMITED LIABILITY COMPANY ON BEHALF OF PINE DEVELOPMENT, INC. - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED (PAY DAY LOAN SERVICE) at 604 North Rainbow Boulevard (APN: 138-26-301-004), C-1 (Limited Commercial) Zone, Ward 2 (McDonald).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with EVANS not voting and McSWAIN excused

To be heard by the City Council on 10/1/2003

NOTE: COMMISSIONER GALATI disclosed that Nevada First Bank, located across the street, is a client of his firm. Not having discussed any portion of this application with bank personnel, he would be voting on the item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that the proposed financial institution would occupy space within an existing shopping center. The applicant verified that there would be no additional signage. Inasmuch as conditions of the code are being met, staff recommended approval.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 54 – SUP-2787

MINUTES – Continued:

ATTORNEY JOSH REID, 300 South 4th Street, appeared on behalf of the applicant. He stated that the applicant would maintain the same color scheme as the shopping center. All renovations would be interior to the building and would include replacement of the existing sign on the storefront.

TODD FARLOW, 240 North 19th Street, asked if the applicant provided information in regard to interest rates, fees and charges.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:58 – 11:02)

4-156

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a “grand opening” or that a business is “coming soon” may be approved administratively for a period not to exceed thirty days.
5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-2794 - BOCA PARK MARKETPLACE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB (GRAND MARLIN) at 8800 West Charleston Boulevard, Suite #8 (APN: 138-32-412-028),U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (McDonald).

IF APPROVED: C.C.: 10/01/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as his firm has a pending business transaction with Triple 5 and McSWAIN excused

To be heard by the City Council on 10/12/03

MINUTES:

COMMISSIONER GALATI declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, stated the proposed supper club meets all separation distance requirements of the code. Staff recommended approval subject to conditions.

JIM GRINDSTAFF, 2230 Corporate Circle, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 55 – SUP-2794

MINUTES – Continued:

There was no further discussion.

COMMISSIONER GALATI declared the Public Hearing closed.

(11:02 – 11:03)

4-290

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within one year of this approval, this Special Use Permit shall be void unless an Extension of Time is granted.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The business shall conform to the provisions of Chapter 6.50 of the City of Las Vegas Municipal Code.
5. The Supper Club use shall conform to the definition as listed in Title 19.20.020.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-2675 - CIMARRON-HAMRICK, LIMITED LIABILITY COMPANY ON BEHALF OF CIMARRON-FRONTAGE, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 30,376 SQUARE FOOT OFFICE BUILDING IN CONJUNCTION WITH A COMMERCIAL DEVELOPMENT adjacent to the southeast corner of Cimarron Road and Deer Springs Way (a portion of APN: 125-21-710-003), T-C (Town Center) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and amending Condition 3 as follows:

3. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to show access for ingress *and egress* through the overall development and linking the subject pad site.
- **UNANIMOUS with McSWAIN excused**

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that this development includes a total of five building sites. There is ample parking and no waivers requested. Staff recommended the applicant provide a site plan to show how each of the sites will be linked.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 56 – SDR-2675

MINUTES – Continued:

JIM STROH, JSA Architects, 1955 Pama Lane, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:05 – 11:09)

4-352

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to show access for ingress egress through the overall development and linking the subject pad site.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 56 – SDR-2675

CONDITIONS – Continued:

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting all current Town Center and City Standards concurrent with on-site development activities.
15. If not previously constructed by the master developer, construct appropriate on-site paving to allow for two way vehicular traffic.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 56 – SDR-2675

CONDITIONS – Continued:

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainage-ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct neighborhood or local drainage improvements as determined by the approved Drainage Plan/Study concurrent with development of this site. Alternatively, the developer may agree to contribute monies in lieu of such drainage facility improvements as are recommended; such monies shall be contributed prior to the issuance of any building or grading permits, whichever may occur first.
18. Site development to comply with all applicable conditions of approval for the Cimarron Springs Ranch (Commercial Subdivision), Zoning Reclassification Z76-98 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-2766 - ROOHANI RUSTAM & SHAHNAZ TRUST - Request for a Site Development Plan Review FOR A PROPOSED 10,500 SQUARE FOOT RETAIL BUILDING AND FOR A REDUCTION IN PERIMETER AND PARKING LOT LANDSCAPING on 0.92 acres adjacent to North Lamb Boulevard, approximately 140 feet north of East Bonanza Road (APN: 140-30-803-009), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, explained that the applicant has revised the site plan to reflect a reduction in the size of the building and provide ample parking. The applicant has requested waivers of the perimeter landscaping on the north property line and also at the rear of the building.

RUSTAM ROOHANI, the applicant, 3741 Westwind, concurred with staff conditions.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 57 – SDR-2766

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, complained that the item was not adequately displayed on the overhead.

COMMISSIONER GOYNES asked what type of tenants would be occupying the building. MR. ROOHANI replied this would be a retail building.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:09 – 11:13)

4-480

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-138-97 and all other subsequent site-related actions.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Wall signage shall be restricted to the northern and eastern elevations only.
5. The site plan shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect a minimum 6-foot, 5-inch landscape planter along the northern property line.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall match the submitted plan in terms of plant sizes and quantities with the addition of ground cover and a minimum of 5-gallon shrub sizes as required by Title 19.12.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 57 – SDR-2766

CONDITIONS – Continued:

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties.
11. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08.45.
12. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 57 – SDR-2766

CONDITIONS – Continued:

18. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. Meet with the Flood Control Section of the Department of Public Works for assistance in determining appropriate finished floor elevations and drainage pathways required for this site prior to the issuance of any permits for this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-2783 - LAS CAL CORPORATION ON BEHALF OF REK INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR TWO RESTAURANT PAD SITES WITH DRIVE-THROUGHS AND A REDUCTION OF THE PARKING LOT LANDSCAPE STANDARDS on a portion of 1.83 acres adjacent to the east side of Durango Drive, approximately 650 feet north of Cheyenne Avenue (APN: 138-09-401-018), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, explained that the applicant revised the site plan to meet all perimeter landscaping; however, there is a request to reduce the parking lot landscaping. Staff recommended approval subject to conditions.

JOHN LABAR, Labar Architects, 10444 American Falls Lane, appeared on behalf of the applicant and concurred with staff recommendations.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 58 - SDR-2783

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:13 – 11:14)

4-588

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. The trash enclosure shall have six-foot high walls, finished in the same manner as the main structure with a roof and solid metal gates as required by Title 19.08.045.
3. A waiver is granted for a reduction in the number of landscaped planter fingers in the parking lot.
4. One additional 24" box tree shall be planted within the perimeter planter along the south property line to provide additional screening of the drive-through access aisle. All trees within the perimeter landscape planter along the south property line shall be planted on the subject property and not within the area of the private drive. Trees within the planter along Durango Drive shall be planted 20 foot on center or planted per one of the tree spacing alternatives as listed in Title 19.12. One additional 24" box tree is required within the planter along the west property line (Durango Drive).
5. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 58 - SDR-2783

CONDITIONS – Continued:

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. The trash enclosure shall include a roof as per Title 19.08.45.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Construct all incomplete half-street improvements on Durango Drive and the private drive along the southern boundary of this site concurrent with development of this site. Also, construct appropriate on-site paving to provide for two way vehicular traffic through this overall site concurrent with development of this site.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting all current City Standards concurrent with on-site development activities.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 58 - SDR-2783

CONDITIONS – Continued:

17. Meet with the Flood Control Section of the Department of Public Works for assistance in determining appropriate finished floor elevations and drainage pathways required for this site prior to the issuance of any permits for this site.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-7-94 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-2784 - PAUL KELLOGG ON BEHALF OF AQUARIUS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 12,103 SQUARE FOOT OFFICE BUILDING on a portion of 2.18 acres adjacent to the southwest corner of Charleston Boulevard and Fourth Street (APN: 162-03-115-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions with the deletion of Condition 4 - **UNANIMOUS** with **TRUESDELL** abstaining inasmuch as he owns property in the notice area, **DAVENPORT** abstaining as **ATTORNEY MIKE MUSHKIN** is his legal counsel, and **McSWAIN** excused

To be heard by the City Council on 10/1/2003

MINUTES:

COMMISSIONER GALATI declared the Public Hearing open

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 59 – SDR-2784

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, stated the proposed project is located within the Downtown Centennial Plan Arts District. She noted that the applicant requested Condition 4 be deleted. This application will require approval by the City Council. The City Council has the ability to waive requirements of the Centennial Plan.

ATTORNEY MIKE MUSHKIN, 930 South 3^d Street, appeared on behalf of the applicant. He agreed with staff conditions with the exception of Condition 4 and requested it be deleted.

No one appeared in opposition.

There was no further discussion.

COMMISSIONER GALATI declared the Public Hearing closed.

(11:14 – 11:16)

4-657

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. A landscape plan shall be reviewed and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect a minimum of one tree for every six parking spaces within the parking lot area in accordance with code requirements.
4. A fence shall be required to screen the portion of the parking lots that directly abut the public right-of-way at Charleston Boulevard and Fourth Street. The screen fence shall be constructed and installed in accordance with the requirements contained in the Downtown Centennial Plan.
5. The applicant shall receive final approval by the Department of Fire Services, prior to submittal of any building permits, for verification that on-site circulation will be adequate for rescue vehicles.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 59 – SDR-2784

CONDITIONS – Continued:

Public Works

6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. No portion of the proposed office building shall be constructed overlying the existing sewer easements on this property.
9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003

Planning and Development Department

Item 59 – SDR-2784

CONDITIONS – Continued:

10. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
11. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ROC-2788 - PERMA-BILT HOMES ON BEHALF OF LM LAS VEGAS, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 5 of an approved Site Development Plan Review (SDR-1336) TO MODIFY THE SETBACK REQUIREMENTS to include a 14-foot front yard setback FOR SIDE-LOADED GARAGES IN AN APPROVED RESIDENTIAL DEVELOPMENT on 20.16 acres adjacent to the southeast corner of Grand Canyon Drive and Elkhorn Road (APN: 125-19-501-001, 002, 003, 004 and 005), U (Undeveloped) Zone [R (Rural Density Residential) and L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and amending Condition 1 as follows:

1. Condition of Approval Number 5 of Site Development Plan Review (SDR-1336) shall be amended to read as follows:

The setbacks for this development shall be a minimum of 18 feet to the front of the front-loaded garages and 14 feet to the front of the side-loaded garages as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side and 15 feet in the rear.

– UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 60 – ROC-2788

MINUTES – Continued:

EDDIE DICHTER, Planning and Development Department, noted that there was an oversight in one of the conditions that was omitted that addressed 14-foot setbacks to the side-loaded garages. Staff felt the applicant's request is appropriate and read into the record the modification to Condition 1.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. He concurred with staff recommendations including the revision to Condition 1.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:16 – 11:20)

4-762

CONDITIONS:

Planning and Development

1. Condition of Approval Number 5 of Site Development Plan Review (SDR-1336) shall be amended to read as follows:

The distance from the face of the garage door to the back of sidewalk (or curb, if no sidewalk is proposed) shall be a minimum distance of 18 feet to prevent a car in the driveway from encroaching into the vehicular or pedestrian travel corridor.

2. Driveways are required to be a minimum distance of 18 feet to prevent a car in the driveway from encroaching into the vehicular or pedestrian travel corridor.
3. Site Development to comply with all applicable conditions of approval for the Elkhorn/Grand Canyon subdivision and all other subsequent site-related actions.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MSP-2763 - FIRST AMERICAN EQUITIES ON BEHALF OF RONALD J. RICHARDSON - Request for a Master Sign Plan FOR AN APPROVED RETAIL BUILDING (AUTOZONE) adjacent to the west side of Lamb Boulevard, approximately 570 feet south of Washington Avenue (APN: 140-30-701-014), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, commented that all proposed signs meet the requirements of Title 19 except for the support pole of the freestanding sign. A condition was added to address that issue. Staff recommended approval subject to conditions.

HAROLD FOSTER, 3230 Polaris Avenue, represented this application and concurred with staff recommendations.

TODD FARLOW, 240 North 19th Street, voiced his objection to the pole signs..

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 61 – MSP-2763

MINUTES – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:20 – 11:21)

4-837

CONDITIONS:

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, except as amended by condition of approval.
2. The freestanding sign pole shall be enclosed and surfaced to match the architecture of the principal structure, and shall be reviewed and approved by the Planning and Development Department. The base shall be three feet in width or a minimum of 20% of the sign width, whichever is smaller.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. Any modification to the Master Sign Plan shall require approval in accordance with Title 19.14.130.

Public Works

5. Site development to comply with all applicable conditions of approval for Site Development Plan Review Z-10-69(3), and all other subsequent site-related actions.
6. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MSP-2764 - FIRST AMERICAN EQUITIES ON BEHALF OF RONALD J. RICHARDSON - Request for a Master Sign Plan FOR AN APPROVED RETAIL BUILDING (FAMILY DOLLAR) adjacent to the west side of Lamb Boulevard, approximately 500 feet south of Washington Avenue (APN: 140-30-701-013), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, explained that the wall signs meet all the standards of Title 19 except for the support pole of the freestanding sign. A condition was added to address that issue. Staff recommended approval subject to conditions.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant, and concurred with staff recommendations.

TODD FARLOW, 240 North 19th Street, objected to the pole signs.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 62 – MSP-2764

CONDITIONS – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:21 – 11:24)

4-897

CONDITIONS:

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, except as amended by condition of approval.
2. The freestanding sign pole shall be enclosed with a decorative cover to match the architecture of the principal structure, and shall be reviewed and approved by the Planning and Development Department. The base shall be three feet in width or a minimum of 20% of the sign width, whichever is smaller.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. Any modification to the Master Sign Plan shall require approval in accordance with Title 19.14.130.

Public Works

5. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-1393, and all other subsequent site-related actions.
6. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MSP-2804 - RAJESH PATEL ON BEHALF OF SUERTE CORPORATION - Request for a Master Sign Plan FOR AN EXISTING MOTEL DEVELOPMENT at 700 Fremont Street (APN: 139-34-612-006), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

MARGO WHEELER, Deputy Director, Planning and Development Department, stated that approval of a master sign plan is required in order to replace the existing freestanding sign for the current city center. Staff recommended approval.

RAJESH PATEL, the applicant, 700 East Fremont Street, concurred with staff conditions.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 63 – MSP-2804

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:24 – 11:25)

4-969

CONDITIONS:

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, except as amended by condition of approval.
2. The freestanding sign pole shall be enclosed and surfaced to match the architecture of the principal structure, and shall be reviewed and approved by the Planning and Development Department. The base shall be a minimum of three feet in width or 20% of the sign width, whichever is less.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. Any modification to the Master Sign Plan shall require approval in accordance with Title 19.14.130.

Public Works

5. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-2680 - PERMA-BILT HOMES - Request for a petition to Vacate portions of the Shadow Peak Street cul-de-sac generally located 1,000 feet north of West Gowan Road, Ward 4 (Brown).

SETDATE: 09/17/03

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, explained that the subject right-of-way is no longer required due to road realignments.

BRENT WILSON, VTN Nevada, 2727 Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 64 – VAC-2680

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:25 – 11:26)

4-1031

CONDITIONS:

1. Provide all necessary dedications for the cul-de-sac terminus of Shadow Peak Street prior to recordation of the Order of Vacation.
2. A 20 foot wide public sewer easement, centered about the main, shall be retained or provided for the existing public sewer currently located in the Shadow Peak Street alignment.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City departments.
7. The Order of Vacation shall not be recorded until all conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 64 – VAC-2680

CONDITIONS – Continued:

8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-2738 - AVANTE HOMES - Request for a Petition to Vacate a portion of North Campbell Road extending 158 feet southerly from the Log Cabin Way Alignment, Ward 6 (Mack).

SETDATE: 09/17/03

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated this portion of the public right-of-way will be vacated but will be maintained as an access point to the adjacent subdivision.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff conditions.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 65 – VAC-2738

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:26 – 11:27)

4-1072

CONDITIONS:

1. This Petition of Vacation shall be modified to retain a 20 foot wide Public Sewer Easement centered over the existing sewer.
2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required by rezoning action ZON-2225 may be used to satisfy this condition.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation shall not be recorded until all conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 65 – VAC-2738

CONDITIONS – Continued:

7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-2743 - STANPARK HOMES - Petition to Vacate U.S. Government Patent Easements generally located north of Gilcrease Avenue, south of Grand Teton Drive, east of Grand Canyon Drive, and west of Tee Pee Lane, Ward 6 (Mack).

SETDATE: 09/17/03

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN

To be heard by City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated the applicant intends to incorporate the U.S. Government Patent Reservations into the adjacent parcels where development is appropriate. Staff's recommendation is for approval.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. He concurred with staff recommendations and conditions.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 66 – VAC-2743

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:27 – 11:29)

4-1104

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for the Cascade and Cascade II subdivisions may be used to satisfy this requirement.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. Prior to the recordation of an Order of Relinquishment of Interest all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
4. Development of these sites shall comply with all applicable conditions of approval for the Cascade and Cascade II subdivisions.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-2749 - L M LAS VEGAS, LIMITED LIABILITY COMPANY - Petition to Vacate a portion of a public sewer and drainage easement generally located at the intersection of Parkmoor Avenue and Fern Meadow Street, Ward 6 (Mack).

SETDATE: 09/17/03

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, stated this vacation is appropriate and staff recommends approval.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, represented the applicant and concurred with all conditions.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 67 - VAC-2749

MINUTES – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:29 – 11:30)

4-1141

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage study required with the Elkhorn/Grand Canyon subdivision may be used to satisfy this condition.
2. Provide an alternate path for public sewer main.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
5. Development of these sites shall comply with all applicable conditions of approval for the Elkhorn/Grand Canyon Subdivision.
6. All development shall be in conformance with code requirements and design standards of all City departments.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAC-2752 - PECCOLE NEVADA CORPORATION - Petition to Vacate a twenty-foot wide public drainage easement generally located on the northeast corner of North Hualapai Way and West Sahara Avenue, Ward 2 (McDonald).

SETDATE: 09/17/03

C.C.: 10/01/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GALATI – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 10/1/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

EDDIE DICHTER, Planning and Development Department, noted that the vacation is appropriate for relocation as indicated by parcel map TMP-1902. Staff recommended approval subject to conditions.

CLYDE SPITZE, 4670 South Fort Apache Road, appeared on behalf of the applicant. He concurred with all of staff conditions and requested approval.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF AUGUST 28, 2003
Planning and Development Department
Item 68 – VAC-2752

MINUTES – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:30 – 11:31)

4-1182

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage study required with the Site Development Plan Review (SDR-2286) or Parcel Map (PMP-1902) may be used to satisfy this condition.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
4. Development of this site shall comply with all applicable conditions of approval for Site Development Plan Review SDR-2286 and all other subsequent site-related actions.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 28, 2003

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TODD FARLOW, 240 North 19th Street, welcomed COMMISSIONER LEO DAVENPORT to the Planning Commission. He expressed his appreciation to former COMMISSIONER STEPHEN QUINN for his many years of service. In jest, he stated that COMMISSIONER QUINN will always be remembered for his whimsical quips and especially for his comment, "There is nothing so permanent as a temporary building."

CHAIRMAN TRUESDELL thanked staff for doing a great job in providing the Commission with the material necessary to make thorough and decisive evaluations of each item presented.

(11:31 – 11:32)

4-1220

MEETING ADJOURNED AT 11:32 P.M.

Respectfully submitted:

DIANA DAVIS, DEPUTY CITY CLERK

DEENY ARAUJO, DEPUTY CITY CLERK

City of Las Vegas